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* A press of important matter compels us to hold over several communications, including some interesting specimens of the efforts of the enterprising gentlemen who aspire to roll at least two professions into one.

The Solicitors' Journal.

LONDON, DECEMBER 28, 1872.

THE REPEAL of 36 Geo. 3, c. 83, by the Statute Law Revision Act, 1871, raises a question of some importance as to the present position of the curates of resident incumbents in the Church of England. Can their licences be summarily revoked by the bishop? and if so, is there any appeal from him to the Archbishop of the Province? Both points were recently discussed at some length upon the hearing by Dr. Tait of an appeal by the curate of Little Torrington, Devon, against the revocation of his licence by the Bishop of Exeter. The bishop had acted under 1 & 2 Vict. c. 106, s. 98, which enacts, "that it shall be lawful for the bishop to licence any curate who is, or shall be actually employed by any non-resident incumbent of any benefice within his diocese, although no express nomination of such curate shall have been made to such bishop by the incumbent, and that the bishop shall have power, after having given to the curate sufficient opportunity of showing reason to the contrary, to revoke summarily, and without further process any licence granted to any curate, and to remove such curate for any cause which shall appear to such bishop to be good and reasonable. Provided always, that any such curate may, within one month after service upon him of such revocation, appeal to the Archbishop of the province, who shall confirm or annul such revocation as to him shall appear just and proper."

Now it is true that in *Poole v. Bishop of London*, 7 W. R. Ecc. Dig. 22, 5 Jur. N. S. 522, the proceedings against Mr. Poole, who was curate to a resident incumbent, were taken under the above section, but whether it really applied or not was not necessary to be decided, as 36 Geo. 3, c. 83, s. 6, certainly included the case. By the last-named section it is provided that the ordinary shall have power to revoke summarily and without process any licence granted to "any curate," subject nevertheless to an appeal to the Archbishop. This enactment is now repealed, and it is very difficult to see how the 1 & 2 Vict. c. 106, s. 98, can be applied to any curates, except those of non-resident incumbents. The words seem to us to be very plain, and according to the ordinary rules of construction, the words "any curate" in the latter part of the section, must be taken to be confined to such curates as are previously mentioned, that is to say, to the curates of non-resident incumbents.

This interpretation of the statute is sustained by the distinct authority of Lord Chelmsford, sitting as assessor to the Archbishop of York in *Sedgwick v. Bishop of Manchester*, 38 L. J. Ecc. Cas. 30, 17 W. R. Ecc. Dig. 26, where that learned judge, in a detailed criticism of section 98, shows, as we think conclusively, how impossible it is to read the words other than in the limited sense. If he be right, the vast majority of

stipendiary curates are, at this moment, entirely at the mercy of their diocesan.

The decision of Lord Chelmsford does not appear to have been brought to the notice of the Archbishop of Canterbury, on the appeal which has just been heard, although Mr. Poole's case was referred to. Mr. Poole's case, however, is no longer an authority, inasmuch as the 36 Geo. 3, c. 83, has been repealed. The effect of the repeal of this statute seems to us to be very prejudicial to the interests of stipendiary curates. Episcopal discretion is fallible, and it is well that an appeal against its improper exercise should exist. Why the framers of the Statute Law Revision Act, 1871, should have taken away the opportunity of appealing, we are at a loss to understand. It may be, we should add, that this singular piece of legislation has extinguished the bishops' power of summary revocation. But upon this point we, at present, offer no opinion.

IN A RECENT breach of promise of marriage case in the Sheriff's Court at Liverpool the defendant's counsel consented to a verdict for the full amount (£5,000) claimed in the declaration, but the plaintiff's counsel wished to state his case, on the ground that the jury might give more damages and then he might apply to amend his claim.

This was refused, and we think rightly. Such an amendment may, no doubt, be made; but the proper time to apply for it is before, and not after, verdict. If the jury had given more, the verdict could not have been entered for more, or, if it had been, the proceedings would have been set aside in error. If an amendment had been subsequently made, probably the case would have had to go a second time before a jury. Technically, therefore, there can be no doubt that the refusal to allow the case to proceed was justified, and, so far as it was a question of discretion, it is still clearer that the course taken was right.

The report of what passed naturally suggests that there was some other reason for wishing to make the case public, besides the mere money question as to the amount of damages. Without offering any suggestion as to what the reason may have been in this particular case, we may observe that it is a matter of considerable importance to prevent proceedings in a court of law being made use of either to obtain increased compensation under threat of exposure, or even to gratify the feelings of a young lady who has been badly treated but is not content with getting all the pecuniary compensation she has asked for.

A CASE TRIED AT GUILDHALL a few days ago was rendered memorable by the display of an unusually profound acquaintance with the habits, period of incubation, and powers of increase of the creature known to the law as "a noxious insect." The occasion of all this research was the raising afresh of the oft-litigated question as to whether a person who takes a furnished house is entitled to quit it without notice, on finding that it is infested with bugs. It is singular that on a point which must be of frequent occurrence the law should still be involved in some uncertainty. The judgment in *Smith v. Marrable* (11 M. & W. 5), which laid down the principle that under the circumstances above mentioned the tenant might throw up his lease, was founded upon earlier cases which cannot now be supported, and it certainly laid down the law too widely; but the decision itself has never been expressly overruled, and was, indeed, distinguished in the well-known case of *Hart v. Windsor* (12 M. & W. 68), in which it was held that on the letting of an unfurnished house there is no implied contract that it is in a reasonably fit state for habitation. The distinction appears to be sound in point of legal principle, although it has been usually supported by reasons of common sense and convenience. In order to enable a tenant to

avoid his lease on the ground that the demised premises are uninhabitable, there must be a default on the part of his landlord (*Izon v. Gorton*, 5 Bing. N. C. 501; *Arden v. Pullen*, 10 M. & W. at p. 328). Whether this default has or has not occurred, of course depends upon the further question—what was the engagement of the landlord? and in the absence of express stipulation this must be judged of from the circumstances of the case. A landlord cannot be taken to engage that a house which does not contain a single piece of furniture or article of domestic utility is fit for habitation; he merely undertakes that the tenant, who is to fit it for habitation, shall have undisturbed enjoyment. On the other hand, the landlord of a furnished house must be taken to engage that it is in a fit state for habitation, since the use of the furniture, which is the consideration for the greatly advanced rent which the tenant agrees to pay, cannot be had unless the house is habitable; hence, if the furnished house is not reasonably fit for habitation, the landlord is in default, and the tenant is entitled to be released from his contract. Whether the house is or is not in this state, is, of course, a question for the jury upon the evidence in each case; hence the degree to which the nuisance alluded to above must exist, in order to render the house uninhabitable, is a matter involved in some doubt. The nuisance must prevail to such an extent that the tenant "cannot fairly be expected either to grapple with or endure it" (*Campbell v. Wenlock*, 4 F. & F. 716); but then arises the important question, what number of bugs a man may fairly be expected to endure. There is authority for the proposition that "a few bugs" will not entitle him to throw up the lease (per Cockburn, C.J., in 4 F. & F. at p. 725), and in the recent case, although the butler testified that he pinned twenty-six of these insects to a cupboard door, and that at least twenty had been previously slain, the jury found for the landlord.

THE WINTER CIRCUITS this year have been remarkable for the large number of cases of murder and other crimes of violence which have been tried. It must, of course, be remembered that the winter commission of gaol delivery is not a general one, but is only issued to those counties where there are a certain number of assize cases. The lighter cases are not tried, and this accounts to some extent for the cases in the winter being more uniformly of a serious character than those at the spring and summer assizes. This year, however, there seems to have been an excess of savage murders, manslaughters, and attempts to murder, quite beyond the average of such offences. It is specially unfortunate that, under these circumstances, the Treasury system of disallowing costs of prosecutions has been extended to the more serious class of cases. Some few years ago, about the time when the complaints of this interference first commenced, we were informed by a deputy clerk of assize of great experience in such matters, that in capital cases the expense of surveys, maps, and the like, was always allowed, although it would be struck out in cases of less importance. It seems that even this very reasonable liberality has now been put an end to. It is needless to say that we cordially agree with the remarks made by Mr. Justice Denman at Durham, because we have very frequently written to the same effect. It might be thought that such remarks from a judge upon the Bench would ensure an alteration of the system, but when we remember that quite as strong remarks have been made by the Lord Chief Justice of England and the full Court of Queen's Bench, with the only result of eliciting from the Home Secretary the statement that the matter was under consideration, but that he could not promise any alteration, we must not, of course, be too sanguine.

It is not unfrequently happens on the winter circuits, that owing to the low scale of costs allowed, cases are not really prosecuted at all. If there is only one case from some part of the county rather distant from the

assize town, the costs allowed will probably not be enough to induce any attorney to take up the prosecution. We have known a charge of murder, in which when the case was called on, it was found that no brief had been prepared, and no counsel instructed for the prosecution. The depositions were of course handed to some counsel in court, and, according to our recollection, the court had to adjourn for an hour, to enable him to read them before the trial proceeded.

The winter assizes have not only given instances of a common defect in the manner in which prosecutions are now conducted, but they have also produced an instance of a fault which is very uncommon. At Liverpool a charge of unfairness was made against a prosecuting attorney or his clerk, which the presiding judge considered to be made out. A witness favourable to the prisoner was said to have been improperly kept back on the part of the prosecution. The report we have seen scarcely enables us to judge for ourselves of the merits of the case, but the remarks of the judge may be presumed to have been justified.

WE HAVE always advocated the appointment of public prosecutors, and we have some reason to hope that the bill for that purpose may this year be made a Government one, as we understand that the Government have been asking the opinions of the judges and others upon the bill as amended in committee last year. We should regard this prospect as entirely satisfactory, were it not for the fear that the petty economies of the Treasury may be introduced into the new system. We trust, however, that the public and the House of Commons will interfere to prevent this.

IT WILL BE REMEMBERED that an Act was passed in the last session of Parliament (35 & 36 Vict. c. 44, commented on in our last volume, pp. 878-879) abolishing the office of Accountant-General of the Court of Chancery, and amending and simplifying the mode of investing and dealing with funds in court; also giving to the suitors of the Court of Chancery the benefit of the security of the Consolidated Fund for their property. The Rules and Orders made for the purpose of carrying into effect the provisions of this Act have just been issued, and will be found in another part of our journal. We are also enabled to publish an article on the new practice by a most competent authority, which we trust will be found of considerable service to our readers.

THE LEINSTER LEASE for a term of years, about which some hard things have been said of late, was printed in full by the *Times* on Thursday. If two or three of the clauses—excluding the application of the Landlord and Tenant (Ireland) Act, 1870, and prohibiting the lessee from bequeathing his interest to more than one person, or dividing, or attempting to divide, the same among his children or other persons—were removed, the instrument, although rather stringently caring for the landlord's interest, could scarcely be thought to contain any provision which would appear unreasonable to an English farmer; and if the effect of the clause with reference to distress is—as it appears to be—to confine the landlord's right to distress to cases where the rent is in arrear for twenty-one days, the position of the tenant under the lease will, of course, be more favourable in that respect than is usually the case in England. We have now before us a copy of the lease adopted by the Duke in the case of lettings of pasture lands from year to year where the valuation is £50 a-year and upwards, which does not contain the clause with reference to the right of distress, but in its general provisions resembles the lease printed by the *Times*. We have also been favoured with a copy of the form adopted in the letting of arable lands from year to year, where the value is under £50 a-year. In this case it is provided that the lessee, his executors, &c., on quitting the holding demised, "shall not have or make

any claim for compensation under the 'Landlord and Tenant (Ireland) Act, 1870,' in respect of any money or money's worth paid or given by him or them on coming into the said holding."

ATTENTION should be drawn to some observations reported in the *Daily News* as having been made by one of the metropolitan police magistrates on the absurdity of the duties imposed on him by the Legislature. We make no remarks on the mode in which the magistrate dealt with the cases of neglect to send children to school which were before him, but we must express our regret that he should think it proper to found on the applications then made to him an assertion that the "plan which looked well on paper"—meaning, we suppose, the Elementary Education Act, 1870—"was full of practical absurdity." We see no more absurdity in requiring a police magistrate to investigate the reasonableness of blisters and chilblains as an excuse for keeping children from school, than in requiring him to investigate the question whether a little street Arab has stolen a penny roll or a red herring. But we do see a good deal of absurdity in discussions on the bench as to the policy of laws, which a magistrate is appointed not to discuss but to administer, and we see also that grievous evils may result from the diffusion by persons in authority of ill-considered denunciations of the Education Act among the classes specially affected by its provisions.

IT IS OF THE GREATEST IMPORTANCE to insurance companies that their shareholders should be substantial persons, and one of the means commonly taken to obtain this result is the insertion in the deed of settlement of a clause providing that no person not already a shareholder, or the executor, &c., of a shareholder shall be entitled to become the transferee of any share, unless approved by the Board. The Lords Justices, yesterday week, overruled a decision (reported 21 W. R. 95), in which the Master of the Rolls had held that, in spite of this clause, the directors of an insurance company were bound to state their reason for refusing to register a transfer duly executed and sent to the office for registration. The Lords Justices, in effect, decided that, while the directors would not be justified under this provision in acting "merely arbitrarily or capriciously," and would, of course, be responsible for acting from any improper motive, it was, nevertheless, not to be assumed that because they assigned no reasons for their refusal to register the transfer they were acting arbitrarily; and, in the absence of any evidence of arbitrary conduct or of improper motive, the Court declined to interfere with the discretion of the directors. The decision is one of great commercial importance, and, we imagine, will be received with considerable satisfaction in insurance circles.

MANY OBJECTIONS have been urged to the provision in the Corrupt Practices (Municipal Elections) Act, 1872, section 13, subsection 3, requiring that so large a security as £500 should be given by the petitioner "for costs, charges, and expenses, which may become payable by him to any witness summoned on his behalf, or to any respondent." There can be no doubt that these objections are worthy of the consideration of Parliament. We are informed that under the Parliamentary Elections Act, eighty petitions were filed, but only in five or six instances did the costs amount to the £1,000 ordered to be paid into the Bank of England for security. It is believed that most of the municipal election petitions will be entirely conducted by solicitors, and thus the very large fees paid on parliamentary petitions to counsel—amounting in some cases to more than half the sum deposited—need not, probably, be taken into account in calculating the costs attending a municipal petition. By a singular coincidence the three first municipal petitions are ordered for trial on the 10th of January next

the same day in 1869 having been appointed by Mr. Justice Willes for the trial of the Windsor petition—the first experiment made by the judges in trying petitions under the Parliamentary Elections Act.

IT IS SATISFACTORY to find that, on the whole, judicial honesty is the best policy, even at New York. An American legal journal furnishes a detailed account of the fate which has overtaken the men who have long disgraced the bench in that city. One of them evaded impeachment by retiring, and another died. The other two, as our readers may remember, were impeached, found guilty of corrupt practices and removed from their offices, and the more notorious offender was also declared to be disqualified from holding any office of honour, trust, or profit in the State. According to our contemporary, this person is intending for the future to devote his energies to the sale of tobacco.

A MEETING of the Bar has been called on the 10th of January next to consider a scheme for the formation of an association having for its objects the creation of a provision for the widows and children of members of the Bar who may need aid, and the furnishing assistance to members of the association who by protracted illness may be placed in circumstances requiring such assistance. An unhappy incident has recently shown the need for some such institution, and we hope that the meeting may be enabled to set a scheme on foot which will obtain the support of the profession.

THE NEW SCHEME OF LEGAL EDUCATION.

The thanks of the profession, and of all who prefer common sense to groundless assertions, are due to "the two Societies of the Temple," for the remonstrance which has given the Council of Legal Education time to retrace their steps before committing themselves to the fatal error contained in their original programme. In deference to this remonstrance, rule 32 of the scheme now issued for the education of students for the Bar, is not to come into operation till the 1st of January, 1874; and during next year (1873) the studentships and exhibitions at the honour examinations (which are to be held during that year before Trinity and Michaelmas Terms, instead of before Hilary and Trinity) are to be given according to rule 47 of the Consolidated Regulations of 1869. The difference is this, that whereas by the old rule (47) one studentship and one exhibition of fifty guineas and twenty-five guineas respectively are to be awarded to the students who stand first and second on the general list, by the new rule (32) (the provisions of which are singularly obscure) the rewards for general proficiency are entirely swept away, and at each of the two examinations before Hilary and Trinity terms, four studentships are to be awarded to those students who have distinguished themselves most in Jurisprudence and Roman Civil Law. The most valuable of these studentships can only be obtained by students admitted not more than five terms before, the remainder only by students admitted not more than nine terms before, while, to qualify students for examination in any other subjects, they must have kept nine full terms. Thus, by the new rules, the strongest motives are presented to the student to defer to the latest period his study of the laws of his own country, and to devote himself exclusively to an ancient system, some of the most characteristic doctrines of which have been discarded even by those nations whose laws have been mainly founded upon it. It would appear that the Council of Legal Education were anxious to produce a crowd of lawyers of whom it might be said that the only system of law they were ignorant of was that of their own country. It would seem that, in the opinion of the Council an ignorance of Magna Charta, the Bill of Rights, and the whole history and system of English public law, including constitutional and

criminal law, might well be compensated for by an intimate acquaintance with the status of the *Latini Juniani* and the provisions of the *Senatus-Consultum Orphitianum*. Will any of our readers take the trouble to glance through the Institutes (which is what we in England usually mean by the Roman Civil Law) and ask himself the question, how much of all this is applicable to the circumstances and wants of the present day? and how much on the other hand relates to social usages that are not ours, and to rules of positive law which were just as arbitrary as our own, and have this defect about them, that to us they are not law? It needs but a very slight acquaintance with the Roman law to be aware that the same vacillation in opinion, the same controversies, the same nice distinctions, the same technicalities, the same antiquarianism even, prevailed among the Roman lawyers as among ourselves, and we will venture to say further, that the more intimate the acquaintance with that law is, the more this truth appears. To a reader of Blackstone (we mean the original Blackstone) everything seems easy; and the youthful student of the Institutes equally imagines that he is an accomplished jurist; but, we may learn from those who have pursued the study with an ingenuity, research, and perseverance that we may well despair of rivaling, because we have no motive to rival it, that the real reason why we boast so much of the clearness, simplicity and certainty of the Roman law is that we know so little of it; distance softens its outlines into a harmonious whole. It is not indeed to be disputed that, apart from historical interest, and in their direct application to legal reasoning upon the affairs of human life, some portions of the Roman law are of use in training the legal faculties of students, but it is equally certain that there are other parts of that system whose chief value lies in illustrating what the history of our own law gives us examples of in abundance, the utmost subtlety of technical reasoning, and still larger parts whose interest is only that of historical jurisprudence. But *omne ignotum pro magnifico*, and like the House of Commons who applauded Sheridan's supposed quotation from Demosthenes, we think a man an accomplished jurist if he is familiar with the Institutes, and if he can cite a *lex* from the Digest he is deemed to be truly profound. A saying is ascribed to a professor of jurisprudence, that a student who has spent six months in the study of Roman law, will have acquired as much knowledge of English law as one who has devoted himself during the same period to the study of English law alone, and will know so much Roman law besides. It would by no means follow that to say this would imply an ignorance of both systems; on the contrary it would imply only an ignorance of one or of the other; but that it should be consistent with an acquaintance with both is absurd, and we therefore by no means believe that any such assertion was ever made by the person to whom it is attributed. We quote it only to show what catchpenny utterances are (with the help of a little misunderstanding and misinterpretation) caught up and palmed off upon a credulous public.

We make these remarks in the interest of Roman law as well as of English law, and of common sense. We entertain no doubt of the beneficial effect, in certain cases, of the study of the Roman law; but, in the first place, we are satisfied that no great benefit will be derived from it by the general run of students, and, in the second place, we believe that, in order to give it its due effect, the student should rather be encouraged to continue its study while he is engaged in learning the practical work of his profession, than bribed to throw all his energies at first into the acquisition of knowledge which he will afterwards be at liberty to dispense with altogether. It is a matter of doubt whether this study should not be made an honour subject merely, to which those students should be invited and stimulated who have more taste and time for general jurisprudence than the average. It scarcely admits of doubt that students

should be induced to prolong their familiarity with it up to the time when they will have acquired, by their knowledge of the details of existing law, fuller and more correct conceptions of the relations of fact which are implied in, and expressed by, legal phrases and rules. The scheme proposed by the 32nd rule appears designed exclusively for the purpose of providing a little addition to the income of gentlemen who have had the opportunity of familiarising themselves at the Universities with the only form of law which is likely to be efficiently taught there—an office which might surely very well be left to the Universities themselves. We cannot but admire the astuteness of the member of Council who procured the insertion of the 33rd rule, by which each Inn is to provide for the payment of those of its students who obtain the studentships; it is clear that the most successful Inn will be the first to desire a change.

One curious feature in connection with this same subject remains to be pointed out. The professor of Roman Law is not only to be also the professor of International Law, public and private, but is further to be professor of Constitutional Law and Legal History. Whether this arrangement is founded upon the fact that the clever redactor of a foreign edition of the Institutes is also the able reader on Constitutional Law and Legal History, we cannot tell. To base a general conclusion upon a single instance is to build on a slight foundation. But, allowing that the presumption is in favour of a gentleman who can perform one function satisfactorily, being able to perform another function satisfactorily, does it therefore follow that he can satisfactorily perform both at once? We should be curious to see the space which would be occupied by Constitutional Law and Legal History, when it had to find its place in the same course with International Law and Roman Civil Law.

We have dwelt at length upon this question of Roman Law, because it is in truth the feature of the new scheme. The rules provide for private classes to be taken by tutors, with liberty also to the professors to act as tutors, but without any obligation on them to do so. The whole apparatus of the late scheme, which provided for examinations and rewards in the subjects of the lectures, is abolished (Rule 40). The novelty here is not in establishing private classes, but in providing a larger teaching power. Upon this point the arrangements are not worked out in sufficient detail to enable us to form any judgment of their probable effect. Attendance both at the public lectures and the private classes remains, as it was before, voluntary. The lectures and classes on Hindu and Mahomedan law and the laws in force in British India are continued for one year, at the request of "the two societies of the Temple," but the general scheme makes no provision for instruction in these subjects.

Upon the whole the scheme has very much the appearance of a makeshift, and seems rather designed to manifest vigour by doing something, than itself to show any comprehension of what ought to be done. An energetic and judicious administration may perhaps redeem to some extent a defective code of regulations; but so far as the regulations are concerned, we cannot see that the new scheme is an improvement on the old one.

THE CHANCERY FUNDS ACT, 1872.

The following is a summary of the principal alterations which have been introduced by the above Act and the Rules and Orders made under it, such of the alterations as are based on the report,* referred to in the preamble of the Act, of the Chancery Funds Commissioners, made in the year 1864, being distinguished by the letter (a).

1. The office of Accountant-General of the Court of Chancery is abolished, and her Majesty's Paymaster-General, who may act by deputy, is substituted for that officer. The Paymaster-General's office for Chancery

For this Report, see *Solicitor's Journal* for 1864, p. 403.

business is to be termed the "Chancery Pay Office," and his account at the Bank of England on behalf of the Court of Chancery, is to be termed the "Chancery Pay Office Account."

2. The Consolidated Fund is rendered liable to make good to the suitors of the Court of Chancery all money and securities in Court, thus substituting in their favour a certain security for the uncertain one which they have hitherto possessed, in consequence of the necessity which there would have been to apply to Parliament in the event of any insufficiency of the Sutors' Fund to meet the charges upon it.

(a) 3. A deposit account for the suitors' moneys, carrying interest at the rate of £2 per cent. per annum, without deduction on account of income tax, has been established. Such interest will be computed monthly, and accumulated by being half-yearly placed on deposit at the same rate.

(a) 4. The range of securities capable of being deposited at the Bank in the same manner as Exchequer bills has been extended, and in future such securities will not be required to be deposited in a box at the Bank, thus extending to the Court of Chancery certain provisions, which have been found to work well, of the Lunacy Acts of 1853.

(a) 5. Money and securities may be paid or transferred into, or deposited in, court on a written request, thus dispensing with the necessity of obtaining an order for that purpose, and saving the time and expense hitherto incurred in obtaining the same.

(a) 6. Securities may, in urgent cases, be sold, transferred, or delivered out of court during vacations, and money or securities may be paid, transferred, or deposited into or in court, and money may be paid out of court during vacations, thus removing the complaints hitherto frequently made in consequence of the Accountant-General's office being closed during these periods.

(a) 7. Each sum of money paid in under the Lands' Clauses Consolidation Act, 1845, or the Copyhold Enfranchisement Act, is to be placed to a separate account, instead of being, as hitherto, placed to a general account, and thus any erroneous application of any particular sum paid in will be prevented.

(a) 8. A suitor paying or depositing money or securities into or in court will be entitled to retain the receipt given to him, the filing thereof being dispensed with, thus removing the complaint hitherto frequently made by suitors, that they were compulsorily deprived temporarily of the receipt given them, on making the payment, or deposit, into or in, court.

9. Stock may be converted into cash more expeditiously and at a less expense, (the charge for brokerage being saved) than would be incurred by selling the same in the open market. The cash so realised may be placed on deposit, and thus while the dealing with the fund is facilitated, the suitor will not be exposed to the loss of interest.

10. Small payments will be made in cash at an office, which will be provided at the present Accountant-General's Office, or in its immediate vicinity, instead of its being necessary that every payment should be made at the Bank of England. The extent of the boon thus conferred on the class of suitors in receipt of small amounts may be judged of, from the circumstance mentioned in the report of the Chancery Funds' Commissioners, that on the 10th of January, 1861, there were issued from the Accountant-General's Office 470 cheques, whereof 298 (more than one-half) were for sums under £25.

(a) 11. Money payable to official persons keeping an account at the Bank of England is to be written off the Chancery Account, and placed to the account at the Bank of such persons, thus extending to such persons the practice hitherto confined to the Inland Revenue Department.

12. Money ordered to be paid to persons not being persons entitled in any other character than in their own

right, may be paid to their personal representatives, where such persons die before the receipt thereof, thus saving the delay and expense hitherto occasionally incurred in consequence of the necessity of obtaining a fresh order in case a direction for payment to such representatives has not been inserted in the original order, and adopting a practice introduced into the Irish Court of Chancery by Lord St. Leonards, while Lord Chancellor of Ireland.

(a) 13. Statutory declarations may be received instead of affidavits, at the Chancery Pay Office, thus further carrying out the spirit of recent legislation in dispensing with the unnecessary administration of oaths.

(a) 14. Provisions are made for securing the insertion in the Paymaster-General's books of the title of each cause, with the correct reference to the record, thus preventing the recurrence of the circumstance, which has happened, of funds which had come into court in two distinct causes with the same title being placed to the same account in the Accountant-General's books.

15. On each document left at the Chancery Pay Office, the name and address of a solicitor must be written, thus facilitating communication with him in case any occasion requiring it may arise.

(a) 16. A list of the suitors' stock and cash accounts not dealt with during the preceding fifteen years is to be published triennially, instead, as has hitherto been the practice, of such list being confined to stock accounts, and only issued quinquennially.

(a) 17. Money and securities standing on any accounts which have not been dealt with during the preceding year, are annually, whenever the amount of stock and cash together do not amount to £5,* to be transferred to the Commissioners for the Reduction of the National Debt, but without prejudice to the right of the suitor to obtain payment or transfer of the same.

(a) 18. The sale, transfer, or delivery out of securities in court is facilitated and expedited by directing that the necessary transfer or delivery shall be made by the proper officer of the Bank of England or of the company in whose books the securities are standing, thus preventing the delay which has been occasioned by the practice hitherto adopted of requiring the transfer to be signed by the Accountant-General, for which purpose he was in the habit of attending twice a week at the Bank of England.

(a) 19. The dividends of securities in court, and any principal money payable in respect thereof, will be received by one of the cashiers of the Bank of England without any power of attorney, and, in the case of securities transferable by delivery, without requiring as hitherto that the box containing them should be delivered out for the purpose of enabling the dividends or principal to be received, thus avoiding the expense incurred by the necessity which has hitherto existed of obtaining an order for the delivery out for the above purpose, of the box containing the securities, and where interest only is to be received, for the re-deposit of the box after the object for which it was delivered out has been fulfilled.

The Act, and Rules and Orders are directed to come into operation on the 7th of January, 1873.

The Rules do not contain any provisions for facilitating the mode of paying money out of court; it is therefore assumed that, except as to small payments (with respect to which see above), the present practice in that behalf will be continued until other supplementary provisions are made in reference to that and other kindred subjects, as recommended by the Report of the Chancery Funds Commissioners.

We understand that the editors of Daniel's Chancery Practice have in active preparation an edition of the Chancery Funds Act, and the Rules and Orders made under it.

* The expense of obtaining an order for the payment or transfer of this amount would usually exceed that sum.

RECENT DECISIONS.

EQUITY.

NOTICE—ASSIGNMENT—TRUSTEE IN BANKRUPTCY.

Re Russell's Policy Trusts, V.C.M., 21 W. R. 97.

The first point in this case, that, with respect to the bankrupt's *choses in action*, trustees in bankruptcy are in no better position than assignees for value, as regards the necessity for giving notice, or obtaining a stop order, was already well settled (*Stuart v. Cockerell*, 18 W. R. Ch. Dig. 84, L. R. 8 Eq. 607). The other point, that notice to a country agent of an assurance company on the occasion of an assignment of a policy, is not notice to the company, should be noted.

PRIORITY OF CREDITOR OBTAINING JUDGMENT AGAINST EXECUTOR.

Re Williams, Ex parte Williams, V.C.W., 21 W. R. 160.

It is a well-known rule that a creditor of a deceased person obtains priority over other creditors of the same class, by proceeding to judgment against the executor or administrator. Thus, a simple contract creditor, by obtaining a judgment against an executor, is entitled to be paid in full before any payment is made to the simple contract creditors who have obtained no such judgment. In the above case it was held that the recent Act, for abolishing the distinction as to priority of payment between the specialty and simple contract debts of deceased persons (32 & 33 Vict. c. 46), does not operate so as to take away the priority of a creditor who has obtained a judgment against the executor, and that, perhaps as a purely accidental consequence, but at all events as a clear consequence of the Act, a simple contract creditor who obtains a judgment against the executor of a person dying on or after the 1st January, 1870, has priority over the specialty creditors of the deceased as well as over his simple contract creditors. In the above case, there was the further circumstance that the judgment against the executor had not been registered; but as to this point the Court followed *Jennings v. Rigby*, 33 Beav. 198, 21 W. R. 32, where it was held that a judgment obtained against an executor need not be registered in order to obtain preference in the administration of the estate.

COMMON LAW.

CHARTER-PARTY—CONDITION PRECEDENT.

Stanton v. Richardson, C.P., 21 W. R. 71, L. R. 7 C. P. 421.

This case deserves notice principally for the bold attempt made on the part of the plaintiff to overthrow the rule which discharges the charterer from his obligations, when the default on the side of the owner is such as to frustrate the purpose of the voyage. We lately referred to this rule in a comment on the case of *Bradford v. Williams* (16 S. J. 731), and pointed out that it was one of several forms under which the general principle appeared, that where the default of one side is such as to make the obligation of the other side, either in itself or as regards the consideration on which it was founded, a substantially different thing from that contemplated, the obligation is discharged. It would be very unfortunate if a rule of so much common sense and fairness were done away with; but it was suggested in the present case that the rule was an innovation, no older than *Tarrabochia v. Hickie* (1 H. & N. 183), and that the earlier and stricter rule should be followed. Even if the rule had originated in *Tarrabochia v. Hickie*, it has been so frequently recognised since then as to be now firmly established; but if it be taken in the broad sense in which we have taken it, it is obvious that the rule is far older than that case. The Court carry it back to *Freeman v. Taylor*, 8 Bing. 124, and *Constable v. Clobberie*, Palm. 397; there is a wide interval of time between these cases, and nearly as wide an interval of substance. It would be found a hard task to deduce the rule from the earlier case; but no doubt it does appear

in the later one, as it had (in substance) in several earlier cases. The facts to which the rule was applied in the present case were these: The ship had been chartered to take, amongst other things, a cargo of sugar; the cargo prepared for loading was wet sugar (which was within the charter), and (as usually happens) a large quantity of molasses ran into the hold; the ship's pumps were not able to remove it, nor could fresh pumps be procured for the purpose, without ruinous delay, and if the ship had proceeded to sea without removing it she would not have been sea-worthy. The charterer therefore unloaded, and refused to reload the cargo, and the shipowner brought this action.

The jury found that the delay necessary for removing the molasses would have frustrated the object of the voyage, and the Court gave judgment for the charterer. The case really seems almost unarguable, and we should not have noticed it at so great length, but for the strong effort made to overthrow the salutary rule on which the decision turned.

VOLUNTARY CONVEYANCE.

Clarke v. Willott, Ex., 21 W. R. 73, L. R. 7 Ex. 313.

As it had been long established in Equity that a voluntary settlor could not enforce a contract to sell against a purchaser for value, although, if the purchaser had chosen to complete, his title would have been perfect (*Smith v. Garland*, 2 Mer. 123; *Johnson v. Legard*, 1 T. & R. 281), it was reasonable to surmise that when the point came to be decided at law, the conclusion would be the same; and the present case shows that it is so. There is no answer to the argument that the vendor is bound to make a good title to the purchaser, and cannot call upon the purchaser to make it for him.

IMPROVEMENT EXPENSES—CHARGE ON LAND.

Plumstead Board of Works v. Planet Building Company, Ex., 21 W. R. 77.

It is a matter of practical interest to notice how seriously the value of property situated within the range of the Metropolis Local Management Acts (18 & 19 Vict. c. 120, 25 & 26 Vict. c. 102) may be affected by outstanding charges for improvements. The purchaser of such property, without due inquiry, may find that his acquisition is burdened, not merely with annual instalments, but with a present debt for the entire contribution assessed upon the previous owner in respect of a heavy expenditure on public works in the adjoining street. That this might be so with respect to sewers was clear under section 53 of the later Act. It was not so clear with respect to paving expenses, under section 77, notwithstanding *Bernondsey Vestry v. Ramsey* (19 W. R. 774, L. R. 6 C. P. 247); but the Court has by the present decision placed them on the same footing, and as that decision agrees with the view expressed (though not judicially established) by the Court of Common Pleas in the above cited case, it is not likely that the Court of Exchequer Chamber will reverse the decision, although the section would, perhaps, reasonably bear a different construction. It is to be noticed that similar charges on the land may exist under the Public Health Act, 1848 (s. 90), and the Local Government Act, 1858 (s. 62).

MARRIAGE—IRREGULARITY.

Templeton v. Tyree, Div., 21 W. R. 81.

This case is another instance of the rule, long since firmly established, that under 4 Geo. 4, c. 76, s. 22, a marriage is not void for irregularity in the formalities there described, unless both parties have been cognizant of the defect. We lately referred to this rule in commenting on the case of *Reg. v. Rea* (16 S. J. 769), and we may add to the instances there given the recent decision of *Bacon, V.C.*, in *Gompertz v. Kensit* (L. R. 13 Eq. 369), in which the learned Vice-Chancellor laboriously arrived at a conclusion to which a very short road was furnished him by existing authorities.

REVIEWS.

A Treatise on the Law of Bankruptcy, Containing a full Exposition of the Principles and Practice of the Law, Including the Alterations made by the Bankruptcy Act, 1869, with an Appendix Comprising the Statutes, Rules, Orders and Forms. Second Edition. By GEORGE YOUNG ROBSON, Esq., of the Inner Temple, Barrister-at-law. London: Butterworths, 1872.

We are glad to welcome a second edition of this valuable work, the first edition of which we reviewed about two years ago. While the arrangement and form of the book have remained unaltered, the author has not contented himself with merely adding the recent decisions to the old text, for the whole law on the subject, old as well as new, has evidently been carefully considered in the interval between the two editions, and many old cases are now noted which were not referred to in the first edition. The tendency of all books on Bankruptcy is, of course, just now to increase very much in bulk; but Mr. Robson's conciseness of style has enabled him to keep his work within reasonable limits. The present edition contains, amongst other additional matter, a chapter on "The Bills of Sale Act, 1854"; and that Act and the subsequent Act of 1866 are given at length in the Appendix. We notice also as an improvement in printing the Bankruptcy Act and Rules, that reference is made at the end of each section and rule to the pages of the text where the subject of such section or rule is discussed. The index to the work, so far as we have been able to examine it, is a remarkably good one. On the whole we have no hesitation in saying that the Author has considerably improved an originally meritorious and useful book, which we recommend very heartily to the profession at large.

COURTS.

COURT OF CHANCERY.

(Before Vice Chancellor MALINS.)

Dec. 20.—*e Cotterill's Trusts.*

Investment of English trust monies on real securities in Ireland.

This was an application under the Act 4 & 5 Will. 4, c. 29, for the authority of the Court to an investment of a sum of £50,000 on mortgage of lands in Ireland.

Under the will of the late Mr. Thomas Cotterill, of Birmingham, his large property was divided into 13 shares, and he directed six of such shares to be held in trust to invest in the "public funds of Great Britain, or upon mortgage of freehold properties, or in the purchase of freehold hereditaments." One of such 13 shares was now invested in £36,993 14s. consols and £30,976 3s. 4d. reduced, and some of the parties who on the death of a tenant for life of such funds would become entitled to those funds were infants. An application was now made by the trustees and by all persons interested to the Court to authorize an investment of £50,000, part of the above trust funds, on mortgage of large real estates in Ireland. Evidence was given to show that the value of the estates was upwards of £78,000, and that £48,000, which it was now proposed to pay off, had been lent by the Economic Life Assurance Company at 5 per cent. It was proposed to advance the £50,000 at 4 per cent.

Bristowe Q.C., and *Sargant*, for the petitioners, referred to *Re Lord William Paulet*, 1 Phil. 570, where the Court sanctioned a loan of £52,000 at 4 per cent, on mortgage of lands in Ireland, and stated that many English Insurance offices had made large investments in Ireland on the security of land, which had of late years increased very much in value.

Lewin, for the trustees, concurred in the application.

MALINS, V.C., believed that Lord Waterford's estate realised from thirty-three to thirty-five years' purchase, notwithstanding the Irish Land Act, and understood that nowhere were rents more punctually paid than in Ireland. He made an order authorizing the investments as prayed, and did not think it necessary that the title should be approved by the conveyancing counsel to the Court, as the trustees would, of course, see that the title was duly investigated. The Court simply authorized the investment.

JUDGES' CHAMBERS.

(Before Mr. Justice QUAIN.)

Dec. 21.—*The New Municipal Elections Act.*—*The Huddersfield Petition.*

Two summonses in the Huddersfield case, *Haigh and Another, petitioners, v. Barker and Another, respondents*, came on for hearing before his Lordship in respect of "particulars" of the allegations of bribery, treating, and the conveyance of voters, and, being the first application, raised some important questions.

T. S. Pritchard was counsel for the respondents, and *Knight* for the petitioners.

His LORDSHIP expressed his disinclination to hear the summonses, as he was not on the rota of the Judges to try the Parliamentary Election Petitions. He suggested that *Baron Cleasby*, who was one of the Judges on the rota, should hear the applications.

Both the learned counsel urged his Lordship to entertain the matter, and he consented, it being remarked that the new rules had provided that any Judge could hear such applications at Chambers.

The matter was discussed at some length before the learned Judge, and, as the proceedings on the trial were to be analogous to petitions on Parliamentary elections, he was referred to the decision of the late Mr. Justice Willes in the Salford case as to the particulars to be given. The petition, it was asserted, contained no information, and the respondents, who had been elected, and whose elections were alleged to be void on account of corrupt practices, had a right to know what charges were to be brought forward. As to the names of the persons said to be treated and bribed, those names were not to be given until within three days of the trial of the petition, and the reason was obvious, as they might be got out of the way.

Knight informed his Lordship that the petition was appointed to be heard on the 10th of January, before Mr. Cleave, one of the barristers appointed, and the fullest particulars as to the alleged acts of treating and bribery would be given.

Pritchard said the respondents were entitled to know the charges they had to meet and should be furnished with full particulars.

His LORDSHIP said he should make an order in the terms of the Salford case as to treating and bribery.

The next point was as to the conveyance of voters to the poll, and, as the introduction of agreeing to pay for such conveyance was a novel feature, the question was fully ventilated. The 8th section of the Act on Corrupt Practices at Municipal Elections (35 & 36 Vict. c. 60) was read:—

"If a candidate, or an agent for a candidate, pays, or agrees to pay, any money, on account of the conveyance of a voter to or from the poll, such candidate or agent shall be deemed to be guilty of an offence against this Act, and shall be liable, on summary conviction before two Justices of the Peace, to a penalty not exceeding £5."

Pritchard, on this enactment, submitted that the members who were elected had a right to the names of the parties who it was alleged had paid or agreed to pay for such conveyance.

Knight urged that it would be impossible to give the names of the agents for the candidates who had agreed to pay.

His LORDSHIP thought the request was reasonable.

Knight read an affidavit that all the cabmen but one who had conveyed the voters had refused to state who had paid them. It was a novel feature in the Act as to those who had "agreed to pay," and his Lordship would bear in mind that the cabmen were in the interest of those who had hired them, and were hostile to the petitioners.

Pritchard said it was no offence in the parties who had received the money, but only in those who paid.

Knight said if his lordship made such an order the petitioners could not comply with it, and the petition on that ground must fail. He asked his lordship not to impose such a condition. On the trial the cabmen could be required to state who had paid or agreed to pay them for conveyance of voters, and the information could not be furnished by the petitioners.

His LORDSHIP, after a good deal of discussion on the point, thought it would be sufficient to state the names of

the cabmen who had been paid, or whom it had been agreed to pay.

An order was directed to be drawn up in both cases in the terms suggested. Some of the particulars were to be supplied in four days, and others, as the names, &c., within three days of the hearing.

Dec. 24.—*The Birmingham Municipal Election Petition. Pickering, petitioner, v. Startin, Respondent.*

In this case, which was appointed for trial on the 13th prox., before Mr. Dowdeswell, Q.C., an application was made on the part of the respondent, whose seat was prayed by the petition, for the petitioner to furnish him with the "particulars" as to the alleged corrupt practices by which he had been elected.

A part of the summons for particulars was in reference to the personation of voters, and the learned judge was asked to require the petitioner to give the names of the parties who had personated voters, as he had alleged in his petition.

Tinda! Atkinson said such information could not be given, but the names of the agents who had procured the persons would be given. One of the rules stated that such particulars as might be necessary to prevent surprise and unnecessary expense, and to insure a fair and effectual trial, in the same way as the ordinary proceedings in the Court of Common Pleas, should be given.

It was alleged that proper voting papers had not been used, and particulars were required on that point and on other heads set forth in the petition, and counsel referred to the new rules on the subject. The 7th rule was read—

"When a petitioner claims the office for an unsuccessful candidate, alleging that he had a majority of votes, the party complaining of or defending the election shall, six days before the day appointed for trial, deliver to the Master and also at the address, if any, given by the petitioners and the respondent, as the case may be, a list of the voters intended to be objected to and of the heads of the objection to each such vote, and the Master shall allow inspection and office copies of such lists to all parties concerned, and no evidence shall be given against the validity of any vote nor upon any head of objection not specified in the list, except by leave of the Court of Common Pleas or a Judge at Chambers upon such terms as to amendment of the list, postponement of the inquiry, and payment of costs as may be ordered."

Mr. Justice QUAIN, after a discussion, ordered particulars to be furnished, and the Salford case to be the guide as to the information to be supplied.

The Barnstaple Election Petition.

Crassweller and Others, Petitioners, v. Avery and Others, Respondents.

The summons in this case was for particulars.

Gorst was for the petitioners, and *J. O. Griffiths* for the respondents.

The petition was handed to the learned Judge, and he referred to the allegations in the summons, on which information was requested in order to meet the charges made in the same.

One of the charges was as to persons who had improperly voted in the election.

Gorst informed his Lordship that the County Court could not sit until the 14th of January, and the petition was to be heard on the 10th. The numbers on the ballot-paper could only be given by order of a County Court Judge, and by that means the names of the persons objected to could be ascertained.

Mr. Justice QUAIN apprehended that, although the County Court did not sit, the Judge could make an order under the Act before the day mentioned. There would be a Judge at Chambers on the 2nd of January, which was eight days before the hearing of the petition, and any application could be made if any difficulty arose.

J. O. Griffiths asked for the information, as required by the summons, and in accordance with the other cases.

The learned Judge made an order for particulars as far as practicable, and care was to be taken in drawing up the order, in both cases, to follow the Salford case.—*Abridged from the Times.*

APPOINTMENTS.

Mr. JOHN PHILIP GREEN, barrister-at-law, who has been gazetted as a judge of the High Court of Judicature at Bombay, was educated at University College, London, and matriculated at the University of London in 1846. He took his B.A. degree in 1849, holding the second place in classics, and his LL.B. degree in 1853, when he was awarded the University law scholarship of £50 per annum, which was held in the following year by Mr. Fitzjames Stephen, Q.C. Mr. Green was called to the Bar at the Middle Temple in November, 1856, having previously been awarded a studentship by the Council of Legal Education. He practised for some years as an equity draughtsman and conveyancer, and attended the Lancaster Chancery Court, but afterwards proceeded to Bombay, where he for some time held the office of Reporter to the High Court. In 1870, on the occurrence of a temporary vacancy on the Bench of that Court, he was appointed by the Bombay Government an acting puisne judge, and entered on the duties of his office on the 18th May of that year. He has now been permanently appointed to the judgeship (which is worth £1,500 per annum) by her Majesty's Government. Mr. Green, several years ago, married Teresa, daughter of John Rogers Herbert, Esq., the Royal Academician; but she died, at her father's residence at Kibbarr, on the 21st November last.

Mr. THOMAS HOWARD FELLOWS, barrister-at-law, has been gazetted at Melbourne to be a judge of the Supreme Court of Victoria. He was called to the Bar at the Inner Temple, in November, 1852, and was admitted to the Bar of Victoria, in May, 1853.

Mr. J. H. DE VILLIERS, barrister-at-law, a member of the House of Assembly of the Cape of Good Hope, has been appointed Attorney-General in the first responsible Ministry formed in that colony, at a salary of £1,000 per annum. Mr. De Villiers was called to the Bar at the Inner Temple in November 1865.

Mr. CROMPTON HUTTON, barrister-at-law, has been appointed Judge of the County Courts in Circuit No. 5, in succession to Mr. J. Osborne, Q.C., deceased. The new judge is the eldest son of the late Robert Hutton, Esq., of Putney Park, Surrey (who was a magistrate for that county, and was M.P. for Dublin, from 1837 to 1841), by Caroline, daughter of the late Dr. Crompton, of Eton House, near Liverpool. Mr. C. Hutton was born in 1822, and was educated at Trinity College, Cambridge, where he graduated in 1846. He was called to the Bar at the Inner Temple in June 1853, and has been a member of the Northern Circuit.

Mr. EDWARD HORATIO MOORE, of Lymington, Hants, has been appointed a Commissioner to administer oaths in Chancery.

The *Athenæum* says that at the sale of the law library of the late Mr. Justice Willes, the following were among the lots:—Clark and Fennelly and Clark, 24 vols., £68; Moore, 21 vols., £53; Common Bench, the two series, 39 vols., £66 10s. The Old Reporters, in folio, realised exceptionally high prices.

NEW BILLS FOR THE APPROACHING SESSION.—The thirty-ninth Standing Order of the House of Commons prescribes that every petition for a private bill, headed by a short title descriptive of the undertaking or bill, corresponding with that at the head of the advertisement, with a declaration, signed by the agent, and a printed copy of the bill annexed, shall be deposited in the Private Bill Office on or before the 21st day of December. The Lords' Standing Orders require deposit of copies of the bill, but not of petition, &c., on the 17th December. Laches in respect to this order, especially in relation to unopposed bills, are treated with lenity, and additions are almost always made to the number of bills deposited in compliance with the order. The number of bills deposited at the Lords' Private Bill Office up to Tuesday week was 337, against 304 bills and petitions deposited in the Commons' office last year. The total number of bills and petitions deposited up to this evening (Saturday last), will probably be something between 340 and 350.—*Railway News.*

CHANCERY FUND ORDERS, 1872.

ORDERS OF COURT, under the Court of Chancery (Funds) Act, 1872, 35 & 36 Vict. c. 44, the 23rd day of December, 1872.

The Right Honorable Roundell Baron Selborne, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Honorable John Lord Romilly, Master of the Rolls, the Right Honorable the Lord Justice Sir William Milbourne James, the Right Honorable the Lord Justice Sir George Mellish, the Honorable the Vice-Chancellor Sir Richard Malins, the Honorable the Vice-Chancellor Sir James Bacon, and the Honorable the Vice-Chancellor Sir John Wickens, doth hereby, in pursuance of the powers contained in "The Court of Chancery (Funds) Act, 1872," and of all other powers and authorities enabling him in that behalf, order and direct in manner following:—

[Commencement of orders.]

1. These orders shall come into operation on the 7th day of January 1873; and may be cited as the "Chancery Funds Orders, 1872."

Interpretation of terms.

2. In these orders, and in orders as herein defined terms shall have the same meaning as the same terms in the Court of Chancery (Funds) Act 1872, and as prescribed by the Chancery Funds Rules, 1872, and the term "Court" shall mean the Court of Chancery, and include a Judge thereof, whether sitting in court or at chambers; and the term "order" shall mean an order of the Court of Chancery hereafter to be made, and shall include a decree; and the term "cause or matter" shall, in these orders, include a separate account in a cause or matter, and a matter intitled merely as an account; and words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number; and words importing the masculine gender shall include females.

Abrogation of certain orders in Chancery.

3. Rules, 14, 15, and 16, of the first of the Consolidated Orders of the court, and rule 5 of the fifth of the same orders, are hereby abrogated.

Notice of payment, transfer, or deposit on request.

4. The person making a transfer, payment, or deposit upon request to the credit of a cause or matter, as provided by the 10th of the Chancery Funds Rules, 1872, shall forthwith give notice thereof to the solicitors on the record for the parties to the cause, or in case of matter, to the persons interested, if known, or to their solicitors, if any, stating in such notice what the money or securities comprised in such transfer, payment, or deposit represent, and for what purpose such transfer, payment, or deposit has been made; and such notice may be sent by post.

Restriction on issuing certificates during vacations.

5. The Registrars of the court shall not, without a special direction of a Judge, be required to issue certificates for the sale, transfer, or delivery of securities in court during any vacation in their office.

Applications at Chambers.

6. Applications under the Court of Chancery (Funds) Act, 1872, for the conversion into cash of government securities in court of any of the three descriptions mentioned in the 28th of the Chancery Funds Rules, 1872, and for placing cash on deposit, or for dealing with interest on money on deposit, may be made to the Master of the Rolls and the Vice-Chancellors respectively, while setting at chambers.

Petitions respecting money or securities on list of undealt-with funds.

7. When a cause or matter has been inserted in the list mentioned in rule 54 of the Chancery Funds Rules, 1872, the fact shall be stated in any petition to the court, affecting money or securities on the credit of such cause or matter.

Applications under Copyhold Acts to be made at Chambers.

8. Applications under the Copyhold Acts respecting any

securities or money in court, shall be made by summons at the chambers either of the Master of the Rolls or of one of the Vice-Chancellors; but notice of any such application is not to be given to the Copyhold Commissioners, except when the Judge may so direct; and this order shall be deemed an additional article to the 35th of the Consolidated Orders, rule 1.

Certain articles and securities not to be received by Clerks of Records and Writs.

9. The Clerks of Records and Writs shall not receive into their custody effects of the suitors consisting of jewels or plate, or other articles of a like nature or negotiable securities.

Proceedings and documents in a cause to be marked with reference to record.

10. No order in a cause shall be passed or entered, and no certificate in a cause of a Chief Clerk of a Judge of the court, or of a Taxing Master of the court, shall be signed or filed, and no petition in a cause shall be answered, and no summons in a cause shall be issued, and no affidavit made in a cause shall be filed, until the same respectively be either marked with the reference to the record, as prescribed by the 1st of the Consolidated Orders, rule 48, or be inscribed with a note indicating that the cause was commenced prior to 2nd November 1852, and the correctness of such reference may be required to be authenticated by the official seal of the Clerks of Records and Writs being impressed on every such document.

Solicitors' Fees.

11. Solicitors shall be entitled to charge and be allowed the same fees on proceedings under these orders, and under the Chancery Funds Rules, 1872, as they are, by the orders and practice of the court, entitled to charge and be allowed in respect to proceedings of a similar or analogous description.

SELBORNE, C.
ROMILLY, M.R.
WILLIAM MILBOURNE JAMES, L.J.
GEORGE MELLISH, L.J.
RICHARD MALINS, V.C.
JAMES BACON, V.C.
JOHN WICKENS, V.C.

GENERAL ORDERS IN LUNACY, under the Court of Chancery (Funds) Act, 1872, the Lunacy Regulation Act, 1853, and the Lunacy Regulation Act, 1862. The 23rd day of December, 1872.

I the Right Honorable Roundell Baron Selbourne, Lord High Chancellor of Great Britain, intrusted by virtue of Her Majesty the Queen's Sign Manual with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind, do, with the advice and assistance of the Right Honorable the Lord Justice Sir William Milbourne James, and the Right Honorable the Lord Justice Sir George Mellish, the Lords Justices of the Court of Appeal in Chancery, being also intrusted as aforesaid, and by virtue and in exercise of the powers or authorities in this behalf vested in me by the Lunacy Regulation Acts, 1853 and 1862, and the Court of Chancery (Funds) Act, 1872, and of every other power or authority in anywise enabling me in this behalf, order as follows:—

1. These orders shall come into operation on the 7th day of January, 1873, and they may be cited as the "Chancery Funds Lunacy Orders, 1872."

2. Terms, words, and expressions in these orders shall be read and construed according to the interpretation thereof contained in the 2nd section of the Lunacy Regulation Act, 1853, and the Court of Chancery (Funds) Act, 1872, and the 3rd provision of the General Orders of the 7th November 1853; and the word "Court" shall mean the Court of Chancery; and the word "order" shall include a report of a Master in Lunacy confirmed by fiat.

3. The 49th, 50th, and 51st of the General Orders in Lunacy of 7th November, 1853, shall be, and they are hereby abrogated.

4. An order or certificate of the Masters containing directions for payment into or deposit in the Bank of England, with the privity of the Accountant General of the Court of

Chancery, to the credit of the matter of a lunatic, of money, securities, or other effects, or for the transfer into the name and with the privy of the Accountant General in trust in the matter of a lunatic of stock or securities, and specifying the account, if any, to which the money, stock, securities, or other effects is or are to be placed, and which directions shall not at the coming into operation of these orders have been acted upon, shall be read and construed as if they directed such money, stock, securities, and other effects respectively to be paid and transferred into, and deposited in court, to the credit of the matter of such lunatic and account, if any, respectively.

After the coming into operation of these orders, an order and any certificate of the Masters' for the purpose of a payment or transfer into or deposit in court of money, stock, securities, or other effect shall direct such payment or transfer to be made into, and deposit to be made in court, to the credit of the matter of the lunatic, to the account, if any, to which it is intended that such money, stock, securities, or other effects should be placed.

6. After the coming into operation of these orders no declaration of trust with respect to stock or securities transferred into court to the credit of the matter of a lunatic shall be required to be made.

SELBORNE, C.
W. M. JAMES, L.J.
GEORGE MELLISH, L.J.

RULES, under the Court of Chancery (Funds) Act, 1872, 35 & 36 Vict. c. 44. Issued 21st day of December, 1872.

The Right Honorable Roundell Baron Selborne, Lord High Chancellor of Great Britain, with the concurrence of the Commissioners of Her Majesty's Treasury, doth hereby in pursuance of the powers contained in "The Court of Chancery (Funds) Act, 1872," and of every other power enabling him in that behalf, make the following rules:—

Commencement of Act and rules.

1. The Court of Chancery (Funds) Act, 1872, shall come into operation on the 7th day of January, 1873, and these rules shall come into operation on the same day (which day is in these rules referred to as the commencement thereof), and shall be filed in the Report Office of the High Court of Chancery, and may be cited as the "Chancery Funds Rules, 1872."

Interpretation of terms.

2. In these rules and in orders as herein defined, terms shall have the same meaning as the same terms in the said Act, and the term "Court" shall mean the Court of Chancery, and the term "order" shall mean an order of the Court of Chancery; intitled in a cause or matter in the said Court, and made by a Judge thereof, whether sitting in court or at chambers or as to payments out of the "Appeal Deposit Account" an order made on a non-attendant petition presented to the Lord Chancellor; and the term "order" shall include a decree and a report of a master in lunacy confirmed by fiat; and the term "chief clerk's certificate" shall mean a certificate intitled in a cause or matter in the said Court, and made by a Chief Clerk of a Judge of the said Court, and approved and signed by a Judge thereof; and the term "title of the cause" shall, with respect to causes commenced since 1st of November 1852, in these rules, mean the short title of the cause with the reference to the Record as prescribed by the first of the Consolidated Orders of the Court, Rule 48, in the following form, viz., (A. v. B. 1872, A. 100); and the term "cause or matter" shall, in these rules, include a separate account in a cause or matter, and a matter intitled merely as an account; and the term "Bank" shall mean Bank of England or Governor and Company of the Bank of England; and the term "Paymaster General" shall mean Her Majesty's Paymaster General for the time being, or his assistant for the time being acting on his behalf for Chancery business; and the term "Chancery pay office" shall mean Paymaster General's office for Chancery business; and the term "Chancery pay office account" shall mean the account at the Bank of the Paymaster General for the time being on behalf of the Court of Chancery; and words importing the singular number shall include the plural number, and words,

importing the plural number shall include the singular number; and words importing the masculine gender shall include females.

Abrogation of certain orders in Chancery and in lunacy.

3. Rules 14, 15, and 16 of the first of the Consolidated Orders of the Court, and Rule 5 of the fifth of the same orders, and the 49th, 50th, and 51st of the general orders in lunacy of 7th November 1853, are hereby abrogated.

Construction of existing orders.

4. Orders of the Court made before the commencement of these Rules, containing directions not then carried into effect, for the payment of money into, or deposit of securities in the Bank with the privy of the Accountant General to the credit of a cause or matter, or for the transfer of securities into the name and with the privy of the Accountant General in trust in a cause or matter, shall be read and construed as if they directed such money or securities respectively to be paid or transferred into, or deposited in court to the credit of the same cause or matter, and no declaration of trust shall be required to be made with respect to any of such securities.

Mode of intituling certain orders, and exact titles of accounts to be stated.

5. Every order directing money or securities in court to be dealt with, shall be intituled in the cause or matter, but not to the separate account, to the credit of which such money or securities shall be placed in the books at the Chancery pay office; and every such order shall state, in the body of such order and not merely by reference to the title of it, the exact title of the cause or matter and separate account, if any, to the credit of which the money or securities dealt with shall be remaining, or to the credit of which the money or securities not already in court shall be directed to be placed.

Exact amount of funds to be expressed, and sources of uncertain funds to be stated.

6. Every such order as referred to in the last preceding Rule, shall express the exact amount of money or securities to be dealt with whenever it can be ascertained, and the amount of money or securities standing in the books at the Chancery pay office, at the date of such order, to the credit of the cause or matter to which the money or securities to be dealt with may be remaining, and not merely by reference to another order; but if the money or securities, or the dividends thereof, to be so dealt with under any such order, shall not be in court at the date thereof, the source from which such money or securities will be derived shall be stated; and in every case the exact amount of money to be dealt with by the Paymaster General shall be expressed in an order or in a Chief Clerk's certificate, or in a certificate of a Taxing Master or in a certificate of a Master in lunacy, unless the amount to be dealt with be payable for legacy or succession duty, or be described as dividends to accrue on securities in court, or as interest on money on deposit, or as money to arise by the sale or conversion of securities in court, or as the residue of such dividends, interest, or money, respectively, after deducting an amount expressed in an order or in such a certificate, or as an aliquot part of such dividends, interest, money, or residue, respectively.

Mode of framing certain orders.

7. When an order directs the payment, transfer, or delivery of money or securities in court, and the amounts to be paid, transferred, or delivered, are mentioned in a schedule to such order, the total of such amounts shall be expressed in words at length in the body of the order; and whenever the dealing by the Paymaster General with money or securities in court, is, by an order, made contingent upon the execution of some document, the document and the parties thereto by whom it is to be executed, shall be clearly indicated in an order, or certificate of a Master in Lunacy, or in a Chief Clerk's certificate, and the execution of such document shall be certified by a Chief Clerk of a Judge of the court, or by a Master in lunacy, unless the Judge upon making the order by which such execution is required shall otherwise expressly direct.

Period of computation and rate of interest to be defined.

8. When interest is, in pursuance of an order to be acted on by the Paymaster General, to be computed otherwise than by the Chief Clerk of a Judge of the court, or by a Master in Lunacy, the order shall state the days or times from, and up to, which, the interest is to be computed, and the rate per cent. of such interest, and whether or not income tax is to be deducted.

Proceedings on payment and deposit of money and securities.

9. When money or securities are to be paid into, or deposited in, court, such payment or deposit shall be made with the privy of the Paymaster General, and the Paymaster General shall issue a direction to the Bank to receive and place the same to the credit of the Chancery pay office account; and such direction shall specify the title of the cause or matter to which such money or securities are to be placed in the books at the Chancery pay office, and upon such money or securities being so paid or deposited, the Bank shall cause a receipt to be given for the same, and shall send such direction to the Chancery pay office, with a certificate thereon that the money or securities therein specified have been received, and placed to the credit of the Chancery pay office account.

Payment, deposit, and transfer on request.

10. Money and securities may be paid or transferred into, or deposited in, court, and be placed in the books at the Chancery pay office to the credit of a cause or matter, on a direction to be obtained from the Paymaster General upon the written request of the person desirous of so paying, transferring, or depositing, or of his solicitor, without an order; but no such payment, transfer, or deposit shall be so made to a separate account in a cause (except to a security for costs account), unless such separate account has been directed to be opened by an order made either before, or after the commencement of these rules, and such request shall be filed in the Report Office. This rule shall not apply to money, or securities, directed by an order to be paid or transferred into, or deposited in, court, nor to money or securities payable or transferable into court, in pursuance of an Act of Parliament, or a general order of the court, by which some particular authority to enable the payment, transfer, or deposit to be made is required.

Request to contain reference to record.

11. Every request for a direction for payment, or transfer into, or deposit in, court of money or securities to be placed to the credit of a cause commenced since 1st November 1852, shall contain the title of the cause and the reference to the record as cited in the preceding Rule 2, and the correctness of such reference shall be authenticated by the official seal of the Clerks of Records and Writs being impressed on such request.

Mode of lodging money at the Bank in urgent cases.

12. When it is desired to bring money into court without waiting the time necessary to obtain a direction for the Bank to receive the same, it may be lodged at the Bank to the credit of a Chancery Suspense Account (subject to being dealt with as hereinafter mentioned, and not otherwise), upon a written application signed by the person desiring to lodge the same, or his solicitor, and addressed to the Bank; and in such application shall be specified the amount to be lodged, and the title of the cause or matter in Chancery in respect of which the lodgment is desired to be made, and upon such lodgment being made one of the cashiers of the Bank shall give a certificate that the amount has been lodged to the credit of the Chancery Suspense Account; and in every case the person making such lodgment, or his solicitor, shall forthwith bespeak the direction for the Bank to receive the money in the manner provided by the preceding Rule 9, and produce such direction and certificate at the Bank, for the purpose of having the money so previously lodged transferred to the Chancery pay office account, and placed in the books at the Chancery pay office to the credit of the cause or matter mentioned in such direction, and the receipt mentioned in the said Rule 9 shall thereupon be given for such money.

When money paid in under section 69 of "Lands Causes Act, 1845," the disability is to be stated.

13. Money hereafter paid into court pursuant to the 69th section of the "Lands Clauses Consolidation Act, 1845," in respect of lands in England or Wales, shall be placed in the books at the Chancery pay office to the credit of Ex parte the promoters of the undertaking, in the matter of the special Act (citing it), as directed by the said Lands Clauses Consolidation Act, 1845, and some words shall be added in each case, briefly expressive of the nature of the disability to sell and convey, by reason of which the money shall be so paid in, as stated in the request for the direction to receive the money.

When money paid in under the Copyhold Acts, the disability is to be stated.

14. Money hereafter paid into court pursuant to the Copyhold Acts shall be placed in the books of the Chancery pay office, to the credit of "Ex parte the Copyhold Commissioners," as directed by the said Acts, and in addition thereto, to the account of the particular manor in respect of which the money shall be so paid in; and in the request for a direction to receive such money, the name and locality of such particular manor shall be stated.

Proceedings on transfer of securities into court.

15. When securities are to be transferred into court, such transfer shall be made with the privy of the Paymaster General, and the Paymaster General shall issue a direction for the transfer to be made to the account of the Paymaster General for the time being on behalf of the Court of Chancery; and such direction shall specify the title of the cause or matter to which such securities are to be placed in the books at the Chancery pay office; and upon such securities being so transferred, the Bank, or body corporate, or company, in whose books the transfer of such securities is made or registered, shall send such directions to the Chancery pay office with a certificate thereon that the securities therein specified have been transferred to the said account.

Receipt and certificate of payment, deposit, and transfer.

16. When any such direction as is mentioned in Rules 9 and 15, with a certificate thereon that the amount of money or securities therein mentioned has been so paid or transferred, or deposited, shall be received at the Chancery pay office, the Paymaster General shall file a certificate of such payment, transfer, or deposit, and shall therein state the title of the cause or matter to which such amount of money or securities has been placed in the books at the Chancery pay office; and an office copy of such certificate of the Paymaster General shall be received as evidence of the payment, or transfer into, or deposit in, court therein mentioned having been made.

Funds in court not to be dealt with except in pursuance of an order.

17. Securities in court shall not be sold, transferred, or delivered out, and money in court shall not be paid out or invested in securities (except in the case provided for by rule 3 of the 41st of the Consolidated Orders of the Court, and in the case provided for by the 40th of these Rules), and money or securities in court shall not be carried over, and a certificate shall not be issued for the sale, transfer, or delivery of securities in court, unless in pursuance of an order, or of a certificate of a Master in Lunacy as authorised by the Lunacy Regulation Act, 1853, and any general orders made thereunder.

Payment of money out of court.

18. When money in court is to be paid out (except in the cases hereinafter provided for), the Paymaster-General shall cause a cheque to be prepared, stating the title of the cause or matter in the books at the Chancery pay office to which the money paid is to be debited, the date of the order or other authority in pursuance of which, and the name of the person to whom, the payment is to be made, and such other particulars of such payment as the Paymaster-General may deem necessary; and such cheque, duly endorsed by the payee named therein, or his lawful attorney, shall be a good discharge to the Paymaster-General for the amount therein mentioned.

Continuation of periodical payments.

19. Money in court periodically payable at the commencement of these Rules, shall continue to be payable by the Paymaster General in pursuance, and on the authority, of the entries of the cheques for periodical payments in the receipt book in the Accountant General's office, or of such other documents as the Accountant General has been accustomed to use in the preparation of such cheques, without the production of the orders and other documents in pursuance whereof such payments are made, being necessary.

Renewal of unpaid cheques of the Accountant General

20. When cheques have been signed by the present Accountant General or by any of his predecessors, but have not been paid at the Bank previously to the commencement of these Rules, such cheques shall be a sufficient authority to the Paymaster General to cause payments to be made to the same persons and of the same amounts as are named therein, without the production of the orders or other documents in pursuance whereof such cheques have been so signed, being necessary.

Substitution of transfers for payments to official persons.

21. When money in court is payable to the Ecclesiastical Commissioners for England, the Official Trustees of Charitable Funds, the Official Liquidator of any company, the Commissioners for the Reduction of the National Debt, or to any other official persons for whom an account is kept at the Bank, the order shall direct the amount so payable to be transferred, upon the requisition of the official persons to whom it is due, to the proper account (citing it), at the Bank, of such official persons. And the Paymaster General shall, upon receiving such requisition, direct the Bank to write off from the Chancery pay office account the amount so payable and to place it to the account at the Bank mentioned in such order, and shall debit the proper account in the books at the Chancery pay office therewith.

Payment and transfer to representatives of deceased persons.

22. When money in court is payable, or securities in court are transferrable or deliverable to any person named or described in an order (except to a person therein expressed to be entitled as a trustee, executor, or administrator, or entitled in any character other than in his own right), the same, or any portion thereof for the time being remaining unpaid or untransferred or undelivered, may, on proof of the death of such person, whether before, on, or after the date of such order, be paid or transferred or delivered to the legal personal representatives of such deceased person, or to the survivors or survivor of them; and when money in court is by an order directed to be paid to any persons described in an order or a Chief Clerk's certificate as co-partners, such money may be paid to any one or more of such co-partners.

Paymaster General may defer acting on directions in orders without request.

23. When an order, or certificate of a Master in Lunacy, directs the carrying over of money or securities in court, or the investment, or placing on deposit, (subject to Rule 52), payment out, of money in court, the Paymaster General may defer giving effect to such direction until a request in writing to give effect thereto has been left at the Chancery pay office, but it shall be the duty of the solicitor for the person having the carriage of such order or certificate to leave it and such request at the Chancery pay office without unnecessary delay.

Investment of money.

24. When money in court is, in pursuance of an order as defined by the 2nd of these Rules, or of Rule 3 of the 41st of the Consolidated Orders of the Court, or of a request as provided for by the 40th of these Rules, to be invested in specified securities, the Paymaster General shall direct the money to be paid to the broker conditionally, upon his causing such securities to be transferred or deposited to the account of the Paymaster General for the time being on behalf of the Court of Chancery, and the cheque for such money shall specify the title of the cause or matter to which the securities purchased are to be placed in the books at the Chancery pay office, and the Bank, or body corporate, or

company, in whose books or with whom the transfer or deposit of such securities shall be made or registered, shall cause a certificate of such transfer or deposit to be issued, and such a certificate purporting to be issued by the Bank, or body corporate, or company aforesaid shall be sufficient evidence, for all purposes, that such transfer or deposit as therein mentioned has been actually made: and the securities so transferred or deposited shall be placed in the books at the Chancery pay office to the same credit as that to which the said money was standing at the time of such investment, unless the order authorising such investment shall otherwise direct.

Sale of Securities.

25. When securities in court are to be sold, the Paymaster-General shall issue a direction to the Bank to receive the proceeds of such sale, and to place them to the Chancery pay office account, and shall specify in such direction the title of the cause or matter to the credit of which such proceeds are to be placed in the books at the Chancery pay office, and such title shall be the title of the cause or matter to the credit of which the securities were standing at the time of such sale, and the Bank, or body corporate, or company, in whose books, or with whom, the securities to be sold are standing or deposited, shall, upon the production of the receipt from the Bank for the proceeds of the sale, and of a certificate of a Registrar of the court, or a Master or Registrar in Lunacy, countersigned by the Paymaster-General, authorising such sale, cause the transfer or delivery of the securities necessary to complete the sale, to be made by their proper officer.

Transfer of securities out of court.

26. When securities in court are to be transferred or delivered out, the Paymaster-General shall issue a direction for such transfer or delivery, and specify in such direction the title of the cause or matter to the credit of which such securities shall be standing in the books at the Chancery pay office, and the amount and description of the securities to be transferred or delivered, and the name of the person to whom the transfer or delivery is to be made, and upon the receipt of such direction, and of a certificate of a Registrar of the court, or a Master or Registrar in Lunacy, countersigned by the Paymaster General, authorising such transfer or delivery, the Bank, or body corporate, or company, in whose books, or with whom, such securities shall be standing or deposited, shall cause such transfer or delivery to be made by their proper officer, and shall send such direction to the Chancery pay office, with a certificate thereon that the transfer or delivery therein mentioned has been made to the person named therein.

Application of dividends accruing thereon.

27. When securities in court are directed to be transferred or delivered out, dividends accruing thereon subsequently to the date of the order directing the transfer or delivery (when the amount of the securities to be transferred or delivered is specified in such order, or, if not so specified, then subsequently to the time when the amount of such securities is ascertained), shall be paid to the persons to whom the securities are to be transferred or delivered, unless such order otherwise directs. And when, pursuant to a general, or other previous order, dividends have been invested, which, but for such investment, would, under the order directing the transfer or delivery, be payable to the persons to whom the securities on which they have accrued are directed to be transferred or delivered, the securities purchased with such dividends, and any dividends accrued in respect thereof, shall, unless otherwise directed, be transferred or delivered and paid to the same persons; and the Registrars of the court, and the Masters and Registrars in Lunacy, may, upon production to them of a certificate of such investment, issue certificates for such transfer or delivery: and when securities in court are directed to be realized, and the whole of the proceeds paid out or carried over in one sum or in aliquot parts, any dividends accruing on such securities subsequent to the date of the order directing the realization, if the amount of such securities is specified in the order, or, if not so specified, subsequent to the time when such amount is ascertained, shall be added to such proceeds, and applied in like manner therewith, unless such order otherwise directs.

Conversion of securities substituted for sale.

28. When a specific amount of Government securities in court (consisting of not less than £1,000 Consolidated £3 per centum annuities, or £1,000 Reduced £3 per centum annuities, or £1,000 New £3 per centum annuities), shall be required to be realised, the order, instead of directing a sale of such securities, shall direct the same to be converted into cash, unless the Court on pronouncing such order shall otherwise direct, and thereupon such securities shall be transferred to the Commissioners for the Reduction of the National Debt on behalf of the Court of Chancery, as provided by the 52nd of these Rules, and no such conversion shall be made of an amount less than £1,000 of such securities, except for the purpose of placing on deposit the value of such securities.

Certificates for sale, &c., of securities.

29. Every certificate for the sale, transfer, or delivery of securities in court shall express the exact amount of money to be raised by sale, or the exact amount and description of securities to be sold, transferred, or delivered out; and no such certificate shall be issued by a Master in lunacy, except on the production of an office copy of the report of a Master in lunacy confirmed by fiat, nor by the Registrar in lunacy, except on the production of an office copy of the order in lunacy; nor by a Registrar of the court, except on the production of the original order, or an office copy thereof, if the absence of the original order shall be accounted for to the satisfaction of such Registrar.

Certificates of fund in court.

30. The Paymaster-General, upon a request in writing made by or on behalf of a person claiming to be interested in money or securities standing in the books at the chancery pay office to the credit of a cause or matter stated in such request, may, in his discretion grant, for the information of a judge or an officer of the court, a certificate of the amount and description of such money or securities, and such certificate shall have reference to the morning of the day of the date thereof, and not include the transactions of that day, and the Paymaster General shall notify on such certificate the dates of any orders restraining the transfer, sale, delivery out, or payment, or other dealing with the securities or money in court to the credit of the cause or matter mentioned in such certificate, and any charging orders, affecting such securities or money, of which respectively he has had notice; and when a cause or matter has been inserted in the list referred to in Rule 54, the fact shall be notified on the certificate relating thereto, and the Paymaster General may also, in his discretion, upon a like request, grant a transcript of the account in any cause or matter in the books at the Chancery pay office.

Certificates of purchases, sales, &c.

31. When securities have been purchased, sold, transferred, or delivered out, or money or securities have been carried over, or otherwise dealt with in the books at the Chancery pay office, the Paymaster General may in his discretion issue a certificate thereof, upon a request in writing made by or on behalf of any person claiming to be interested in such money or securities.

Information as to transactions.

32. The Paymaster General may in his discretion, on a request in writing, supply such information with respect to any transactions in the Chancery pay office, as may from time to time be required in any particular case.

Placing of money on deposit.

33. Subject to any exceptions in these rules, money in court paid in before the commencement of the Court of Chancery (Funds) Act, 1872 (other than money paid in pursuant to the Copyhold Acts, or to the 69th section of the Lands Clauses Consolidation Act 1845), and money arising by the sale, conversion, or payment off of securities in Court, or dividends accruing on securities in Court, or money brought over from the credit of some other cause or matter or otherwise placed, either before or after such commencement, to the credit of a cause or matter in the books at the Chancery pay office, shall be placed on deposit on a request in writing to the Paymaster General signed by any person claiming to be interested in such money or by his

solicitor; and, subject as aforesaid, all money paid into court after the commencement of the Court of Chancery (Funds) Act, 1872, shall be placed on deposit without a request for that purpose.

Money not to be placed on deposit in certain cases.

34. If a direction in an order dealing with money in court otherwise than by directing it to be placed on deposit, whether such money has been paid in before or after the commencement of the Court of Chancery (Funds) Act, 1872, is brought under the notice of the Paymaster-General, or if a request in writing by a solicitor acting on behalf of any person claiming to be entitled to or interested in money in court, paid in after the commencement of the same Act, that such money may not be placed on deposit, is left at the Chancery pay office, such money respectively shall not be placed on deposit, but the person making such request may at any time withdraw the same, and by a like request in writing require the money to be placed on deposit.

Time of placing money on deposit.

35. Money in court shall be placed on deposit as soon as conveniently may be after it is paid in, or, when a request to place it on deposit is required, according to the last two preceding rules, as soon as conveniently may be after such request is left at the Chancery pay office, but the placing of money in court on deposit shall not be deferred beyond the last day of the month in which the money shall be paid into court, or in which the request shall be left at the Chancery pay office.

Exclusion of money paid in under 9 & 10 Viet. c. 20, or to the Appeal Deposit Account.

36. Money in court paid in in pursuance of the Act of the session of the ninth and tenth years of the reign of Her present Majesty, chapter twenty, intitled "An Act to amend an Act of the second year of Her present Majesty, providing for the custody of certain moneys paid in pursuance of the standing orders of either House of Parliament by subscribers to works or undertakings to be effected under the authority of Parliament," or of any Act amending the same, or money in Court paid in to the Appeal Deposit Account, shall not be placed on deposit.

Limitation of amount to be placed on deposit.

37. Except in the case of money paid into court to the credit of a cause, or matter, to the credit of which money on deposit shall be standing at the time of such payment, a sum of money less than £3 shall not be placed on deposit, nor shall a sum of money less than £3 remain on deposit.

Limitation of amount to be invested.

38. A sum of money in court less than £100 shall not be invested in pursuance of an order made after the commencement of these rules, unless such order shall direct the investment to be made notwithstanding that the sum shall not amount to £100.

This Rule shall extend to the investment of dividends accruing on securities in court, which, by an order, have been, or may be, directed to be invested, and such dividends, when amounting to less than £100 half-yearly, are (subject to Rule 37) to be placed on deposit until by accumulation they amount to a sum not less than £100, when such sum shall, upon a request in writing by or on behalf of any person claiming to be entitled thereto or interested therein, be withdrawn from deposit and invested as directed by such order.

Withdrawal of money on deposit.

39. When an order containing directions dealing with money on deposit, or with money which after the date of the order has been placed and still remains on deposit, is brought to the Chancery pay office to have such directions acted on, such money, or so much thereof as may be sufficient to meet the requirements of the order, may, on a request in writing signed by a person claiming to be entitled thereto or interested therein, or by a solicitor acting on his behalf, be withdrawn from deposit and applied as directed by the order, subject, as to investment of money, to the last preceding rule.

Money paid in under 36 Geo. 3, c. 52, may be invested on request

40. Rule 11 of the 1st of the said Consolidated Orders is hereby abrogated. Provided that the dividends accruing

on securities purchased as mentioned in such rule previously to the commencement of these Rules, may (subject to Rule 38), be invested in like manner as if the said Rule 11 had not been abrogated.

And, for the said Rule 11 so abrogated, the following Rule shall be substituted :

Any money, amounting to or exceeding £100, paid into the Bank pursuant to the statute 36th George 3rd, c. 52, s. 32, shall, upon a written request of the person so paying it in, or his solicitor, or upon a written request made by or on behalf of any person claiming to be entitled thereto or interested therein, be invested by the Paymaster General, without any order for that purpose, in Consolidated £3 per centum Annuities, and the dividends on such annuities, and all accumulations thereon, shall (subject to Rule 38) be invested in like manner, without any order for that purpose, and if such money shall have been placed on deposit before such request shall be left at the Chancery pay office, the money and any interest thereon shall, upon a like request, be withdrawn from deposit, and invested as before mentioned.

Investing or placing on deposit discontinued on request.

41. In all cases, upon a request in writing by a solicitor acting on behalf of any person claiming to be entitled to or interested in money or securities in court, that no more dividends or interest accruing on any particular securities, or on any specified sum of money on deposit, may be placed on deposit, or invested, being at any time left at the Chancery pay office, the Paymaster General shall be at liberty to cease to place on deposit, or invest, any more dividends or interest accruing on such securities or on such specified sum, until he has had notice that the court has made some order in that behalf.

Limit of amount on which interest is to be computed

42. Interest upon money placed on deposit shall not be computed on a fraction of one pound.

Time at which interest is to begin and cease.

43. Interest shall accrue by calendar months, and shall not be computed for a broken period of a calendar month and shall begin on, and be computed for the first day of the calendar month next after the money shall be placed on deposit, and when interest shall accrue under this rule such interest shall be computed up to, and inclusive of, and shall cease on, the last day of the calendar month which shall next precede the day on which the money in respect of which it shall accrue, shall be withdrawn from deposit.

Time at which interest is to be credited.

44. Interest due on the thirty-first of March and the thirtieth of September in every year, on money then on deposit, shall be credited by the Paymaster General to the cause or matter to the credit of which such money is standing, on or before the 20th day of the following month; and when money on deposit, or any part thereof, shall be withdrawn from deposit (except as to money withdrawn during the months of April and October,) the interest accrued, but not credited, on the money withdrawn shall be credited, at the time of withdrawal, to the cause or matter to the credit of which the money shall be standing at the time it shall be withdrawn.

Rule as to sums to be treated as withdrawn from deposit for the purpose of calculating interest.

45. When money on deposit standing to the credit of a cause or matter consists of sums which have been placed on deposit at different times, and an order is made for dealing with the money standing to the credit of such cause or matter, and part of such money has to be withdrawn from deposit for the purpose of executing such order, the part or parts of such money last placed and remaining on deposit at the time of such withdrawal, shall, for the purpose of computing interest be treated as so withdrawn, unless the order shall otherwise direct.

Placing of interest on deposit

46. Until a direction in an order dealing with interest on money on deposit, credited to a cause or matter as due on either of the days mentioned in Rule 44 has been brought under the Paymaster General's notice, such interest shall (subject to Rule 37) be placed on deposit, and shall be treated as placed on deposit on the day on which it shall be due.

Application of interest on money on deposit directed to be invested.

47. When an order directs money in court to be invested, and subsequently to the date of such order the money shall have been placed on deposit, interest accruing in respect of such money may be applied in the same manner as the dividends arising from such investment are directed to be applied.

Limit of time for withdrawal from deposit.

48. When money on deposit is by an order directed to be dealt with, such money shall be withdrawn from deposit as soon as may be after a request in writing for such withdrawal has been left at the Chancery pay office, but such withdrawal shall not be deferred beyond a week after the leaving of such request.

Transfer of surplus cash to Commissioners for Reduction of National Debt.

49. The Paymaster General shall from time to time, but not oftener than once a week, place in the hands of the Commissioner for the Reduction of the National Debt, any excess of the common and general cash of the suitors of the court beyond the amount which in his opinion is required for the purpose of making current payments, and for that purpose the Paymaster General shall send to the Bank a direction to write off from the Chancery pay office account, and to place to the credit of the account of the said Commissioners on behalf of the Court of Chancery, the amount of cash specified in such direction, and shall send to the said Commissioners a notification thereof.

Repayment by Commissioners for Reduction of National Debt.

50. When the Paymaster General shall require, for the purpose of making current payments, any money placed in the hands of the said Commissioners, he shall send to them a request in writing to pay the sum of money specified in such request, and the said Commissioners shall, within one week after the receipt by them of such request, cause the Bank to place to the credit of the Chancery pay office account the sum specified in such request.

Crediting of interest by Commissioners.

51. The said Commissioners shall, as soon as may be after the sixth of April and sixth of October in every year, credit the account to be kept by them of moneys placed in their hands by the Paymaster General on behalf of the Court of Chancery with such sum as the Paymaster General shall certify to be the amount of the interest which had accrued during the six calendar months preceding the first of April and the first of October respectively on money on deposit, and shall cause the amount of Income Tax chargeable on such interest to be paid over to the Receiver General of Inland Revenue.

Conversion of Government securities.

52. When Government securities in court (consisting of Consolidated £3 per centum Annuities, or Reduced £3 per centum Annuities, or New £3 per centum Annuities,) are by an order directed to be converted into cash, a Registrar of the Court, or a Master or Registrar in Lunacy, shall issue a certificate for the transfer of such securities to the Commissioners for the Reduction of the National Debt on behalf of the Court of Chancery, and the Paymaster General, upon receiving such certificate, shall send to the said Commissioners a notification that such transfer will take place, with a request that the amount of cash which is the value of such securities according to the average price thereof on the day of transfer, or (if there should happen to be no average price on that day) on the next following day on which there shall be an average price thereof, may be placed to the account to be kept by the said Commissioners of money placed in their hands by the Paymaster General, such value to be determined by the said Commissioners in the manner provided by the next following rule. And the Paymaster General, upon receiving a certificate from the said Commissioners that the amount of cash which is the value of such securities determined as aforesaid, has been placed to the account of money due from them to him shall credit the account in the books at the Chancery pay office upon which such securities were standing at the time of the transfer, with such cash; and when such cash shall be directed by the order to be placed on deposit, it shall be deemed to have been placed on deposit, without a request for that purpose, on the day on which the securities in

respect of which it shall be due from the said Commissioners were transferred to them.

Ascertaining value of Government securities.

53. The value of Government securities of the descriptions mentioned in the last preceding rule shall, for the purposes of the said Act and of these rules, or of an order when equivalent amounts are to be dealt with, be ascertained according to the average price of the securities appearing in the account transmitted to the Comptroller General of the said Commissioners by the cashiers of the Bank, a copy whereof shall be sent daily by the Bank to the Chancery pay office.

List of unclaimed funds to be triennially made and exhibited.

54. As soon as conveniently may be after the first of October 1873, and after the same day in every succeeding third year, a list shall be prepared by the Paymaster General, and filed in the Report Office, and a copy thereof shall be inserted in the London Gazette, and exhibited in the several offices of the court, of the titles of the causes and matters in the books at the Chancery pay office (other than the causes or matters referred to in the next following rule), whereon money, or securities, may be standing and which causes and matters have not been dealt with by the Accountant General or by the Paymaster General, (otherwise than by the continuous investment or placing on deposit of dividends), during the fifteen years immediately preceding such first of October, and no information shall be given by the Paymaster General respecting the funds standing to the credit of a cause or matter contained in any such list until he has been furnished with a statement in writing by a solicitor requiring such information, of the name of the person on whose behalf he applies, and that, in such solicitor's opinion, the applicant is beneficially interested in such funds.

Transfer of small balances to National Debt Commissioners.

55. As soon as conveniently may be after the first of October, 1873, and the same day in each succeeding year, the Paymaster General shall carry over, to an account in the books at the Chancery pay office entitled "Account of suits balances under £5," the money and securities standing in such books to the credit of the causes or matters where the money and securities shall not together amount to £5, and on which the money or securities shall not have been dealt with during the preceding twelve calendar months.

The Bank upon an order of the Lord Chancellor and without a cheque of the Paymaster General as to money, but on a certificate of a Registrar of the Court, countersigned by the Paymaster General, as to Government securities, shall transfer to the account of the Commissioners for the Reduction of the National Debt such amounts of money and Government securities as may appear by a certificate of the Paymaster General (a duplicate whereof shall be filed) to have been so carried over, and the said Commissioners shall apply all money transferred to them in pursuance of this rule in the same manner as if such money were a surplus of annual revenue, but such carrying over and application shall be without prejudice to the right of any person to whom such money or securities may be ordered to be paid or transferred, to apply to the Treasury for, and to obtain payment or transfer thereof, together with any dividends that shall have accrued on such securities.

Certain accounts excepted therefrom.

56. The provisions of the last preceding rule are not to extend to the causes or matters to the credit of which there is money for which a cheque has been signed by the Accountant General, or may have been signed by the Paymaster General, although such cheque may not have been delivered out.

Statutory declarations substituted for affidavits.

57. When evidence is required by the Paymaster General for carrying into effect a direction in an order, or otherwise, statutory declarations under the Act of fifth and sixth William the Fourth, chapter sixty-two, may, unless the order shall otherwise direct, be received and acted on instead of affidavits, and such statutory declarations shall be filed in the report office when the Paymaster General shall consider it necessary.

Solicitors to insert their names and addresses on documents left in the Paymaster General's office.

58. Every order or request that may be left at the Chan-

cery pay office, and every statutory declaration or other document required to be retained there for the purpose of carrying into effect an order, shall have legibly written thereon the name and address of a solicitor.

Title of accounts not to exceed limited number of words.

59. The length of the title of any account hereafter directed or requested to be raised in the books at the Chancery pay office, is not to exceed thirty-six words, exclusive of the reference to the Record, as defined in Rule 2, and four figures in such title are to be reckoned as one word; but this rule shall not apply to any account which has been directed to be raised by an order made before the commencement of these rules.

Documents to be filed at Report Office.

60. All documents by these rules directed to be filed shall be filed in the Report Office of the court, and an index thereof shall be made and kept there.

SELBORNE, C.

We certify that these Rules are made with the concurrence of the Commissioners of Her Majesty's Treasury.

R. LOWE

W. H. GLADSTONE.

HOW FAR IS A BANKRUPT BOUND TO ASSIST THE TRUSTEE?

The *Times* reports an important application made to the Court of Bankruptcy on the 21st instant. It appears that Viscount Parker was adjudicated a bankrupt in January last. His property consisted of a reversionary life interest in the Macclesfield estates after the decease of the present Earl of Macclesfield. The trustee was advised that if the bankrupt's life could be insured at the ordinary rate a large sum of money could be obtained for the benefit of creditors by sale or mortgage of the interest, but if such insurance could not be effected the interest would be almost worthless. Under the circumstances, the bankrupt had been requested to submit himself to a medical examination at one of the insurance offices with a view to his life being insured, but this he declined to do. The trustee now applied for an order to compel his attendance at an insurance office.

Northmore Lawrence and Ellis J. Davis, for the trustee, pointed out that by the terms of the 19th section every bankrupt was bound to do "all such acts and things in relation to his property and the distribution of the proceeds among his creditors, as may be reasonably required by the trustee, or may be prescribed by rules of court, or be directed by the Court by any special order or orders made in reference to any particular bankruptcy, or made on the occasion of any special application by the trustee or any creditor."

The REGISTRAR (who sat as Chief Judge) was of opinion that the Court had no jurisdiction to make any order. Suppose a bankrupt to be highly endowed by nature with various gifts, and to possess wonderful skill in singing, and a splendid voice, he might by the exercise of those gifts realise a considerable estate for the creditors. But would this Court make any order upon him to sing? The case had arisen in regard to a bankrupt who had a special knowledge of some secret medicine which did not appear in his book of prescriptions, and application was made to the Court to require him to disclose that knowledge; but the Court absolutely declined to order him to do so, and it was stated that there was no authority to enforce such an order. For the present application his Honour did not find the least authority, and upon principle the Court would not make an order upon a bankrupt to do an act which was an entirely voluntary act on his part. The reversionary interest which had been referred to possessed a certain value, and the Court had no jurisdiction to order the bankrupt to do something whereby that value might be enhanced.

The application was, therefore, refused.

It is stated that the Supreme Court of the State of Illinois has determined one hundred and thirty-eight appeals from inferior courts, and that the judgments in eight cases have been upheld, and those in one hundred and thirty reversed.

LAW STUDENTS' JOURNAL.

EXAMINATIONS AT THE INCORPORATED LAW SOCIETY.

Michaelmas Term, 1872.

FINAL EXAMINATION.

At the examination of candidates for admission on the roll of attorneys and solicitors of the superior courts, the Examiners recommended the following gentlemen, under the age of 26, as being entitled to honorary distinction:—

John Indermaur, who served his clerkship to Mr. John Turner, of London.

George Poole Spink, who served his clerkship to Mr. Joseph Walker, of Kingston-upon-Hull.

Frederick Oddin Taylor, who served his clerkship to Messrs. John Oddin Taylor & Son, of Norwich.

Edwin Henry Thorne, who served his clerkship to Mr. William Thorne, of Wolverhampton, and Mr. Charles Brown Smith, of Wolverhampton.

Henry Halkyard, the younger, who served his clerkship to Messrs. Richard & John Redfern, of Oldham, and Messrs. Johnson & Weatherall, of London.

Gerald Hunnybun, who served his clerkship to Mr. Martin Hunnybun, of Godmanchester, and Messrs. Fox & Robinson, of London.

Edwin Henry Walker, who served his clerkship with Mr. James Searle, of Crediton, and Messrs. Davies, Campbell, Reeves, & Hooper, of London.

John Knox Weatherhead, who served his clerkship with Mr. Robert Home and Messrs. E. & W. Willoby, of Berwick-upon-Tweed.

The Council of the Incorporated Law Society have accordingly awarded the following prizes of books:—

To Mr. Indermaur, the prize of the Honourable Society of Clifford's Inn.

To Mr. Spink, the prize of the Honourable Society of Clement's Inn.

To Mr. Taylor, Mr. Thorne, Mr. Halkyard, Mr. Hunnybun, Mr. Walker, and Mr. Weatherhead, prizes of the Incorporated Law Society.

The Examiners have also certified that the following candidates, under the age of 26, whose names are placed in alphabetical order, passed examinations which entitle them to commendation:—

Henry Robert Fargus, who served his clerkship to Messrs. Prideaux & Clark, of Bristol, and Messrs. Vizard, Crowder, & Anstie, of London.

William Francis, who served his clerkship to Messrs. Francis & Baker, of Newton Abbot, and Messrs. Church, Sons, and Clarke, of London.

Samuel Reuben Ginn, who served his clerkship to Messrs. Fisher & Ginn, of St. Ives, Hunts.

Robert Hilar, who served his clerkship to Messrs. Beale, Hoar, & Beale, of Maidstone, and Messrs. Kingsford & Dorman, of London.

Walter Hornblower, who served his clerkship to Mr. Alcock, of Birmingham, Mr. Robert Harding Milward, of Birmingham, and Messrs. Fallows & Whitehead, of London.

Thomas Ansdell Romer, who served his clerkship to Messrs. Fearon, Clabon, & Fearon, of London.

William Thomas Stallard, B.A., who served his clerkship to Mr. Hyla Holden, of Worcester, Mr. John Stallard, of Worcester, and Messrs. Thos. White & Sons, of London.

The Council have accordingly awarded them Certificates of Merit.

The Examiners have further announced to the following candidates, that their answers to the questions at the Examination were highly satisfactory, and would have entitled them to honorary distinction if they had not been above the age of twenty-six:—

Michael Glover Atkins.

Charles Henry Izod.

The Examiners also reported that there were no Candidates from Liverpool or Preston in the year 1872 who were in their opinion entitled to honorary distinction.

The Council have accordingly withheld the Gold Medals founded by Mr. Timpron Martin and Mr. Atkinson.

The Examiners also reported that among the Candidates from Birmingham in the year 1872, Mr. Walter Hornblower passed the best Examination, and was, in the opinion of the Examiners, entitled to honorary distinction.

Mr. Ernest Augustus Smith having, among the Candi-

dates in the year 1872, shewn himself best acquainted with the Law of Real Property and the Practice of Conveyancing, having passed a satisfactory examination, and having attained honorary distinction, the Council have awarded to him the prize, consisting of a gold medal, founded by Mr. Francis Broderip, of Lincoln's Inn.

The number of candidates examined in this Term was 162; of these, 136 passed, and 26 were postponed.

MR. VERNON HARCOURT'S REMEDY FOR THE LAW'S DELAYS.

The following is the scheme proposed by Mr. Vernon Harcourt in his letter to the *Times* of Saturday last:—

What is wanted may be described under three heads:—1, universality of jurisdiction; 2, separation of functions and concentration of work; 3, continuity of action. Without these things there can be neither order, dispatch, nor economy.

The waste of power in the present system arises from various causes.

I. The Judges are constantly being diverted to different occupations; sometimes they are called off to Circuit, sometimes to the London Sittings, sometimes to the Exchequer Chamber, sometimes to the Old Bailey, sometimes to the Court of Criminal Appeal, sometimes to the House of Lords. These perpetual interruptions and breaches of continuity lead to infinite waste of time. The remedy for this is to distribute the business in such a manner that its continuous transaction to each branch may be secured.

II. In the Courts of Common Law a number of Judges are employed in the Court *in banco* to do business which might be equally well performed by one Judge. This remark applies to nearly all the business of the full Court except motions for new trials, and possibly some part of the Special Paper. Why is one Common Law Judge not as competent as one Vice-Chancellor to dispose of all questions of original jurisdiction,—subject, of course, to a proper appeal from his decision? In cases affecting property we are satisfied with a single Judge in Chancery. In cases affecting life and liberty we are content to leave them to a single Judge at the Assizes. Why are we to require several judges to deal with simple motions? The remedy for this is to give original jurisdiction in all cases both of law and of fact to a single Judge of First Instance.

III. The want of universality of jurisdiction and of remedy leads both to delay and to failure of justice. We have lately imposed upon County Court Judges the duty of deciding upon all cases, whether of Law, Equity, Bankruptcy, or Admiralty. Why are not the Superior Judges to be competent to do the same? Why should I be obliged to go to one Court rather than another to obtain my remedy? The phrase of "fusion of Law and Equity" is a misnomer. No "fusion" is wanted. What is wanted is simply that every Judge should have power to administer a remedy for every wrong. At present, if you bring your action in the Court of Queen's Bench you must go on for ever in that Court, though there may be other Courts, with less business, which might hear your cause. But why should not each Judge have power to dispose of any cause? It would be the simplest thing in the world to give to each Judge jurisdiction in all matters, as has, in fact, been done in the case of the County Courts. I do not profess here to deal with the general question of procedure, but I may point out in passing that in order to effect this equalization of jurisdiction it will be expedient to do away altogether with the artificial and unsatisfactory system of Common Law pleading and to substitute in all cases a plain bill and answer, which should set forth the grounds of the claim and the defence. These statements and counter-statements should be printed and verified by the oaths of the parties. All evidence should be oral; for I think the Tichborne trial must have satisfied every one of the intolerable mischief of affidavits.

IV. The greatest of all causes of delay is the fact that we have 36 Judges, who for many months in the year do not sit at all. All business is suspended, arrears accrue which cannot be overtaken, and great injustice is the result. The remedy for this is obvious—viz., to establish a system which shall provide that all Courts, whether of First Instance or of Appeal, shall constantly sit for the dispensation of justice.

Now, keeping these principles in view, let us see how the

thing may be done. First let us constitute a sufficient number of Courts of First Instance. I would propose to take for that purpose twelve Judges, each constituting a separate Court, and each with co-ordinate and universal jurisdiction. Any one having a wrong of any kind to complain of may bring it before any of these Judges. They would hear and dispose of the case in the first instance. Their jurisdiction would cover all the matters now dealt with by the Master of the Rolls, the Vice-Chancellors, the Judge in Bankruptcy, the Judge of the Probate Court, the Judge of Admiralty, and all the business done in the Common Law Courts, whether *in Banco*, at *Nisi Prius*, or in Chambers, except such business as may be considered of an Appellate character in *Banco*, such as motions for new trials and appeals from Judges at Chambers or other inferior tribunals.

In order to correct and regulate this jurisdiction of the First Instance, it would be necessary to have a First Court of Appeal, which should be constantly accessible, and which would fulfil the functions of the Lords Justices, of the Courts *in Banco* (so far as their jurisdiction is really appellate), and of the Court of Exchequer Chamber. Two such Courts continually in session would, I believe, be amply sufficient to conduct this appellate jurisdiction. There may be a question what would be the best number of Judges to assign to them. I believe the profession is highly satisfied with the Court of the Lords Justices, which consists of only two Judges of Appeal. But I should prefer to constitute these two Courts of three Judges apiece. Where the First Court of Appeal unanimously concurred with the Court below I would allow no further appeal.

There remains the Final Court of Appeal. This I would constitute of eight Judges, sitting in two Chambers, and to them could be referred all the business now transacted by the House of Lords and the Privy Council. I do not re-argue the necessity of such a Court. Indeed, on that subject argument is exhausted.

I am told that the Irish and Scotch nationalities have an insuperable repugnance to submit themselves to a Saxon appellate jurisdiction unless it is dignified by the peerage. If these susceptibilities are as real as I believe them to be imaginary, the only remedy seems to be to construct out of the superabundant materials of the Scotch and Irish judicature a Final Court of Appeal for each country at home. I cannot admit that the rest of the Empire is to be deprived of the benefit of a good Court of Final Appeal because Ireland and Scotland prefer the dignity of a bad one.

The business of the Provinces remains to be provided for. I should propose for that purpose to have six Judges constantly in session in different parts of as many districts. On these Judges should be conferred all the same powers as upon the Judges of First Instance in London, to dispose of all matters which may be brought before them. They would also exercise criminal jurisdiction and dispose of the election petitions.

Now, it may be thought that this is a great revolution, requiring very complicated machinery and demanding a long time to work it out. But when its practical operation comes to be considered, it will be found simple enough. It is a simple thing to declare that all Judges of First Instance shall have universal jurisdiction. In fact, it has been already done in the case of the County Courts. It is not difficult to enact that these Courts shall constantly sit. It is easy to transfer all appellate jurisdiction in the first instance to two Courts of First Appeal. It would not require many clauses to consolidate the jurisdiction of the House of Lords and the Privy Council in one Supreme Court of Appeal. All this might be done within the limits of a very moderate Bill. But, as usual, the practical difficulty is partly a personal, partly an economical one. I shall be asked what is to be done with the *personnel* of the existing system, and what will be the cost of the new plan. I will endeavour to answer both questions. I believe that the plan I have sketched out may be organized at once out of existing materials, with a slight addition in respect of the Provincial Judges, and that its cost need be no greater than that at present incurred.

We have at present 36 Judges of the Superior Court thus distributed:—The Chancellor and five ex-Chancellors, four Judges in the Privy Council, two Judges in the Courts of Probate and Admiralty, six Judges in the Courts of Equity and Bankruptcy, three Chiefs and fifteen *puisnes* in the Courts of Common Law. Now, I propose that there

should be 26 Judges constantly sitting in London. In order that these should be relieved, so as to give to each a vacation of three months in the year, it will be necessary to provide a staff one-third larger than the number of sitting Judges, so that one-fourth of the whole may be in vacation at the same time. This may be easily provided out of the existing staff. In order to obtain twelve judges constantly sitting in the Courts of First Instance we must have 16 Judges; we should take 12 *puisne* judges from the Courts of Common Law, three Vice-Chancellors, and the Judge of the Admiralty Court. To constitute the First Appellate Court of six Judges we want eight Judges, and we should take the two Lords Justices, the Master of the Rolls, the Judge of the Court of Probate, one Judge from the Privy Council, and the three *puisne* Judges most fitted for the purpose. The salaries of all to be raised to the same level. The Final Court of Appeal would be for the present thus constituted—the Lord Chancellor, the five ex-Chancellors, three Judges of the Privy Council, and the three Chiefs of the Common Law Courts. Here, then, are all the Courts constituted at once out of actually existing materials. There might be some difficulty at first about the inequality of salaries in the case of the present incumbents of the offices which I have assigned to the Final Court of Appeal. But, as the ultimate number which I contemplate for that Court would be ten, it will be seen that I have got two more members than I require, and their collective salaries at present are £73,000 a year. As vacancies occur, it will therefore be possible to equalize all the salaries at £7,000 a year, except in the case of the Lord Chancellor, who would have £10,000.

All this may be accomplished at once without the addition of a single Judge by a simple rearrangement of the existing staff in a manner I venture to think absolutely compatible with their present functions and dignity. The business of Circuit could be discharged by eight additional *puisne* Judges, of whom six would be constantly sitting in the different districts. Their salaries would be provided from the reduction of the number of the County Court Judges, which has been already recommended by the Judicature Commission. If the present system of vacations by which the whole business of the law is suspended for at least one-fourth of the year is to be continued—a thing against which I, however, absolutely protest—it would not be necessary to make even this increase in the number of the Judges. The provincial Judges would in that case be supplied by the extra Judges I have allotted to the Courts of First Instance and First Appellate Court. To carry such a plan into effect would require as little change of locality as of persons. It is not the least necessary to wait for the building of the new Law Courts. A certain number of Judges of First Instance might sit constantly at Guildhall trying causes, disposing of motions, and transacting all the sorts of business most conveniently dealt with there. A further number of Judges might sit in Lincoln's Inn transacting very much the same kind of business which is now done there. Another detachment might sit at Chambers to dispose of matters of procedure and administration. The jurisdiction being universal, it would be a matter of arrangement how the business should be distributed, and the Judges would marshal it as experience dictated and varying circumstances required. The two Courts of First Appeal and the two Chambers of Final Appeal might occupy the Courts at Westminster.

If the principles of such a change were approved there would be little difficulty in the detail. I believe a Bill to carry out its provisions might be passed in a single Session, and that the whole might be in operation in a twelvemonth.

If it is said that the opposition of the House of Lords in respect of its appellate jurisdiction offers an insuperable obstacle to such a scheme, I answer first of all that the question, as it had been recently conducted, never had a fair chance. But in the next place I would observe that the whole of the scheme, with the exception of the constitution of the Final Courts of Appeal, is outside the sphere of their Lordships' susceptibilities. And if the jurisdiction of the House of Lords and that of the Privy Council are doomed to remain as they are, the only change I would make would be to carry the three chiefs of the Common Law Courts into the First Appellate Court, which would materially strengthen it and possibly permit the sittings of three such Courts at once. Every one will admit that a First Appellate Court manned by one Lord Justice, one Common Law chief, and one of the best lawyers among the *puisne*

Judges, would be a very satisfactory tribunal—indeed, a good deal better than is usually to be found in the House of Lords.

No scheme would be complete or effective which did not provide for a reform of the administrative staff of the law, to whose defects I called attention in my last letter. These departments at present (exclusive of the County Courts) stand at a figure of £376,000 a year. This vast sum is frittered away in an infinitude of departments. Clerks of various sorts, Registrars of all kinds, Masters of every description, &c. I have found solicitors in large business who have not been able to tell me what many of them are even supposed to do. Nobody can doubt that for a sum which almost exceeds the cost of all the public offices put together it ought to be possible by consolidation and organization to establish a perfect administrative staff. When all distinctions of courts have been abolished, it would be expedient to have one well-manned and complete department for liquidation business, another for trust business, another for the conduct of references, another for taxation, and so forth. Each of these departments would transact separate classes of administrative business as they arose in all the Courts. By such a consolidation and redistribution, I believe the practical working power of the staff might be immensely increased.

I submit this project, not as the best which could be devised, but at least as one which would accomplish the ends in view with hardly any change of persons and with no material increase of expense. It conforms to the principles I have laid down. It separates the functions which ought to be distinct. It concentrates work which is now dissipated. It confers universality of jurisdiction. It provides for continuity of action. It might possibly in the end make law compatible with justice.

PUBLIC COMPANIES.

GOVERNMENT FUNDS.

LAST QUOTATION, Dec. 27, 1872.

3 per Cent. Consols, 91½ x d	Annuities, April, '85 9½
Ditto for Account, Jan. 3, 91½	Do. (Red Sea T.) Aug. 1908 18½
3 per Cent. Reduced 91½	Ex Bills, £1000, — per Ct. 2 dis
New 3 per Cent., 91½	Ditto, £500, Do — 2 dis
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, — 2 dis
Do. 2½ per Cent., Jan. '94	Bank of England Stock, 4½ per
Do. 3 per Cent., Jan. '73	Ct. (last half-year) 245
Annuities, Jan. '80 —	Ditto for Account.

INDIAN GOVERNMENT SECURITIES.

India Stk., 10½ p Ct. Apr. '74, 205	Ind. Inf. Pr., 5 p Ct., Jan. '73
Ditto for Account, —	Ditto, 5½ per Cent., May, '79 105
Ditto 5 per Cent., July, '80 104	Ditto Debentures, per Cent.,
Ditto for Account, —	April, '64 —
Ditto 4 per Cent., Oct. '88 104	Do. Do, 5 per Cent., Aug. '73 101
Ditto, ditto, Certificates, —	Do. Bonds, 4 per Ct., £1000
Ditto Enforced Ppr., 4 per Cent. 96	Ditto, ditto, under £1000

RAILWAY STOCK.

Railways.	Paid.	Closing Prices.
Stock Bristol and Exeter	100	113
Stock Caledonian	100	109
Stock Glasgow and South-Western	100	126
Stock Great Eastern Ordinary Stock	100	41½
Stock Great Northern	100	135½
Stock Do, A Stock*	100	159½
Stock Great Southern and Western of Ireland	100	113
Stock Great Western—Original	100	125½
Stock Lancashire and Yorkshire	100	157½
Stock London, Brighton, and South Coast	100	78½
Stock London, Chatham, and Dover	100	33½
Stock London and North-Western	100	151½
Stock London and South-Western	100	105
Stock Manchester, Sheffield, and Lincoln	100	86
Stock Metropolitan	100	69½
Stock Do, District	100	30
Stock Midland	100	143½
Stock North British	100	77½
Stock North Eastern	100	165
Stock North London	100	117
Stock North Staffordshire	100	74½
Stock South Devon	100	75
Stock South-Eastern	100	105

* A receives no dividend until 6 per cent. has been paid to B.

MONEY MARKET AND CITY INTELLIGENCE.

At the close of last week there were large and frequent fluctuations in Erie shares, the price closing on Friday at 51½. In the early part of this week there was a rather active inquiry for money at the Bank, and a good demand

in the open market at 4½ per cent. for first class three months drafts. The new Spanish Loan was flat at ½ to ½ discount. Christmas Day and the Bank holiday on the 26th of course caused a complete interruption of all kinds of business. The re-opening of the markets on Friday was marked by a depression in foreign stocks consequent on the fall in Turkish stocks to which the publication of a circular addressed by Halif Cherif Pasha to the Turkish Ministers in London, Paris, Vienna, &c., rather suggesting the idea of the unification of the debt into a consolidated 5 per cent. stock, and the cessation of the drawings, gave rise. The authenticity of this circular, however, has been denied. The bank rate continues to be 5 per cent.; and there is a moderate demand for money, at former rates. Railway stocks are rising.

THE LORD CHIEF JUSTICE.—The *Times* says that in compliance with a request from the Master and Fellows of Trinity Hall, Cambridge, the Lord Chief Justice of England, Sir Alexander Cockburn, has consented to sit for his portrait, with a view to its being placed in the Combination-room of the society. The Lord Chief Justice was formerly a Fellow of Trinity Hall, and is now an Honorary Fellow.

PAWN BROKERS AND "LEAVING SHOPS."—There is a new provision in the Pawnbrokers Act, which comes into operation on Wednesday, the 1st proximo, as to liability in case of fire,—“Where a pledge is destroyed or damaged by or in consequence of fire, the pawnbroker shall nevertheless be liable, on application within the period during which the pledge would have been redeemable, to pay the value of the pledge, after deducting the amount of the loan and profit, such value to be the amount of the loan and profit, and 25 per cent. on the amount of the loan. A pawnbroker shall be entitled to insure to the extent of the value so estimated.” The new Act provides that an Excise licence of £7 10s. shall be taken out by a pawnbroker for every shop he keeps, to expire on the 31st of July in each year, under a penalty of £10. By the new Act a stop will be put to “leaving shops,” and a good deal of misery will thus be prevented. “In order to prevent evasion of the provisions of this Act, the following persons shall be deemed to be persons carrying on the business of taking goods and chattels in pawn—that is to say, every person who keeps a shop for the purchase or sale of goods or chattels, or for taking in goods or chattels by way of security for money advanced thereon, and who purchases, or receives, or takes in goods or chattels, and pays, or advances, or lends thereon any sum of money not exceeding £10, with or under an agreement or understanding expressed or implied, or to be from the nature and character of the dealing reasonably inferred, that those goods or chattels may be afterwards redeemed or repurchased on any terms, and every such transaction, article, payment, advance, and loan, shall be deemed a pawning, pledge, and loan respectively, within this Act.”—*Times*.

MR. NEWTON ON THE EDUCATION ACT.—Several cases sent by the School Board have been heard by Mr. Newton, at the Marlborough Police-court, the cases showing some of the difficulties of the new Education Act. Samuel Jones, Berwick-street, tailor, was summoned for neglecting to send his two children to school. The wife attended to state that the children could not go to school because one had chilblains, and the other a blister upon his heel, which prevented him from putting on his boot. Mr. Newton said it was perfectly absurd to place a magistrate in the ridiculous position of having to ascertain whether one child had chilblains, and another a blister upon his heel; and yet this was done by these summonses. Had the woman a medical certificate to prove her statement? The wife had not. A certificate would cost money. She had none to spare, even for sufficient bread, as her husband was seeking work. Mr. Newton asked the Inspector if he was prepared to show that the defence was untrue. The Inspector was not. Mr. Newton had nothing left to do than to adjourn the case for further information as to the girl's chilblains and the boy's blister. Edward Froggatt, No. 36, Berwick-street, tinplate worker, was summoned for not sending his sons, Charles and Samuel Froggatt, to school. The mother, who had an infant about three weeks old in her arms, said she kept one child at home to run of errands during her confinement,

having no one else to attend to her. Mr. Newton said he could not allow the excuse to operate that the boy had been converted into a monthly nurse. The mother had no other means of getting help in her situation. The other boy caught a very bad cold, and it went against her to send him to school during the recent wretched weather. Mr. Newton said it was perfectly absurd to require magistrates to deal with such cases. The Inspector said he only acted on instructions in bringing them forward. Mr. Newton imputed no blame to him or the School Board. It was something at the back of the School Board that was answerable. It was all very well to put down a plan that looked well on paper, but which was full of practical absurdity. It was only these discussions—and he should enter into them as long as he had a seat on the Bench—that enabled the public to understand the real character of the matter. The mother was told to pay a fine of 3s. and 2s. costs, or a distress warrant would probably be applied for.—*Daily News*.

"THE BAR AS A STEP TOWARDS MARRIAGE."—The *Saturday Review* says:—A paragraph appeared lately in a newspaper under the title of "The Bar as a Step towards Marriage," and it produced a momentary impression that the Bar spoken of was the same as that which is a step towards commissionerships, judgeships, and other valuable appointments. There would be, indeed, this difference, that the longer a man's standing at the Bar the more eligible within limits he is thought to be for bench or board; but this does not apply to marriage, for which increase of years can hardly be considered a qualification. It is, however, quite true that barristers have always commanded a premium in the matrimonial market, as may be learned from the reported case of Serjeant Salkeld, who, being required upon a treaty of marriage to make a settlement corresponding to the lady's fortune, offered a certain value in land, and himself equivalent for the remainder. "The said W. S. doth humbly conceive himself an equivalent," he wrote, "if he be of double the value of the young lady's estate." Three to one is the full proportion in men of no prospect or education; and therefore he thinks upon allowance in this respect he can't strictly be required to be worth above £4,000. It thus appears that in the year 1700 a man of education and prospect, and thirty years of age, was worth £2,000, and this not only in his own estimation (where barristers, to do them justice, generally stand pretty high), but also in the matrimonial market of society.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

CORY.—On Dec. 17, at Holsworthly, Devon, the wife of Henry Cory, Esq., solicitor, of a son.

LANGLEY.—On Nov. 28, at Woodlands, Lee-road, Blackheath, the wife of A. G. Langley, Esq., barrister-at-law, of a daughter.

PURCELL.—On Dec. 20, the wife of Henry F. Purcell, Esq., of 4, Elm-court, Temple, of a daughter.

DEATH.

TOLLER.—On Dec. 20, at St. John's-wood-park, Hampstead, Edward Toller, Esq., of Doctor's-commons, aged 82.

LONDON GAZETTES.

Professional Partnerships Dissolved.

FRIDAY, Dec. 20, 1872.

Aspland, John Lees, and John Flower, Brazen-nose st, Manch. Attorneys and Solicitors. Dec 16

Friendly Societies Dissolved.

FRIDAY, Dec. 20, 1872.

Welcome Court Friendly Society, Albion Hotel, Penarth, Glamorgan. Dec 14

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, Dec. 20, 1872.

Clemence, Lake, Braughing, Hertford, Coal Merchant. Jan 23.
Clemence & Clemence, M.R. Parker, St Helen's pl
Fellwell, Sarah, Cambridge, Spinster. Jan 7. Carter & Barrett, V.C.
Malins. Knowles, Cambridge
Gambell, Thos, Teynham, Kent, Pork Butcher. Jan 20. Gambell &
Gambell, V.C. Wickens. Johnson, Faversham
Gowland, Jas, Harston, Cambs, Gent. Jan 18. Read & Gowland, M.R.
L Eden, Cambridge

Harrison, Jas Richardson, South Preston, Tynemouth, Northumberland
Jan 20. Matthews & Frest, V.C. Malins. Fenwick, Fenchurch st
Pollock, Field-Marshall Sir George, Clapham common. Jan 20.
Pollock & Pollock, V.C. Malins. Haynes, Hunter st, Brunswick sq
Pratt, Wm, Lower End Farm, Totternhoe, Bedford. Jan 31. Pratt &
Gadsden, V.C. Wickens. Hare, John st, Bedford row
Schofield, Sarah, Micklehurst, Cheshire, Widow. Jan 21. Clementson
& Schofield, V.C. Wickens. Cobbett, Manch
Vigilant. March 1. General Steam Navigation Company & Child, V.C.
Malins. Cattarns, Mark lane

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

TUESDAY, Dec. 17, 1872.

Benny, Saml, Birm, Hosier. Jan 31. Cottrill, Birm
Bullen, Eliz, Bampton, Oxford, Widow. March 4. Bullen, Cheapside
Cartmell, Jas, Carlisle, Gent. March 1. Cartmell, Carlisle
Davis, Mary, Brynton, Merthyr Tydfil, Glamorgan, Spinster. Feb 10.
Davis, Cardiff
Dawson, Mary, Gt Ilford, Essex, Spinster. Feb 1. Blewitt, New
Broad st
Dent, Thos, Hyde Pk gdns, Esq. Feb 28. Harrison and Co, Gray's Inn
sq
Drake, Hy, Ilford, Essex, Builder. Feb 1. Blewitt, New Broad st
Edmondson, John, Burnley, Lancashire, Cotton Manufacturer. Jan 30.
Baldwin, Burnley
Else, Alice, Holloway, Ashover, Derby, Grocer. Jan 21. Le Riche and
Son, King's rd, Bedford row
Gibbon, Eliz Jeffery, Shooebroke, Devon, Widow. Feb 1. Haggins,
Exeter
Hyland, Wm, Lpool, Brush Manufacturer. Jan 25. Qian, Lpool
Jones, David Parry, Cardigan, Gent. Jan 4. Lloyd, Carmarthen
Lawrence, Jas, Bxley, Kent, Carpenter. Jan 20. Slea and Co, Parish
st, Southwark
Lawson, Wm Hy, Leeds, Cork Catter. Feb 1. Ford and Co, Leeds
Leadbitter, Robt, Ryton, Durham, Gent. March 1. Ingledew and
Daggett, Newcastle upon Tyne
Manderson, Margaret, Dartmouth st, Westminster, Widow. Jan 27.
Heath, Basinghall st
Morris, Jacob, Thornton Lancashire, Grocer. Jan 10. Dickson, Kirk-
ham

FRIDAY, Dec. 20, 1872.

Amos, Wm, Knaresbrough, York, Boot Maker. Feb 3. Richardson,
Harrogate
Andrew, John, Plymouth, Devon, Gent. Feb 17. Gard, Devonport
Armstrong, John Fredk, Thornton rd, Clapham Pk, Esq. Feb 28.
Crosse, Bell yd, Doctor's commons
Barracrough, Geo, Streatham Hill, Brixton, Wine Merchant. Feb 1.
Wordsworth and Co, Threadneedle st
Barrett, Benjamin, Ebenezer pl, Poplar, Sawyer. Jan 18. Marsh,
High st, Poplar
Bedale, John, Manch, Dentist. Jan 20. Blain and Chorlton, Manch
Binley Wm Lionel, Culford rd, De Beauvoir Town, Gent. Feb 21.
Gover, King William st
Bishop, Batchelor, Surrey. Jan 31. Down, Dorking
Boss, Amy Chapman, St James's st, Gunmaker. Feb 17. Hughes and
Sons, Chapel st, Bedford row
Bullen, Wm Pople, Bristol, Attorney-at-Law. Jan 25. Bullen,
Bristol
Cox, Wm, Scotts Grove, Haddenham, Bucks, Gent. Feb 14. Parker,
Tlame
Duffield, John Elder, Long lane, Saddler. Feb 1. De Jersey and
Micklem, Gresham st, West
Forchetti, Jane Clara, Addison rd, North, Nottingham. Jan 16. Chap-
pell and Son, Golden sq
Foot, Jas, Coventry, Saddler. Feb 13. Browett, Coventry
Hall, Geo, New Swindon, Wilts, Beerhouse Keeper. Jan 31. Kianer
and Tombs, Swindon
Knox, Hy, Paternoster row, Publisher. Jan 20. Lees, Bartholomew rd,
Kentish Town
Lowther, Gorges, Hampton Hall, Bath Esq. Feb 1. Gill and Bash,
Bath
Marchant, Hy, Newington Butts, Licensed Victualler. Feb 1. Crump,
Philpot lane
Moss, Geo Fredk, Greenhithe, Kent, Esq. Feb 18. Broughton,
Finsbury sq
Newnham, Jas, East Peckham, Kent, Gent. Jan 31. Cripps, Tan-
bridge Wells
Pheips, Philip Hy, Ferdinand, Chichester, Esq. Jan 31. Johnson and
Raper, Chichester
Pike, Edwd, Leigh st, Red Lion sq, Linendraper. Dec 24. Oddy,
Cheapside
Ray, Geo Imber, Artillery row, Westminster, Ginger Beer Merchant
Feb 14. Draper, Vincent sq, Westminster
Sloane, Thos, Halifax, York, Draper. Feb 1. Norris and Co, H ulfax
Smith, Andrew, Plymouth, Devon, Captain R.N. Feb 18. Gibson and
Moore, Plymouth
Smith, John, Leeds, Cloth Manufacturer. Feb 1. Greyn, Bradford
Spence, James, St Paul's churchyard, Merchant. April 12. Lough-
borough and Son, Austin Friars
Towan, Thos, Devonport, Devon, Victualler. Feb 17. Gard, Deven-
port
Williams, Hannah Julia, Bath rd, Somerset, Widow. Jan 25. Bullen,
Bristol

Bankrupts.

FRIDAY, Dec. 20, 1872.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Wood, Geo, Vorley villas, Junction rd, Highgate. Pet Dec 16.
Brougham. Jan 10 at 12

To Surrender in the Country.

Atkinson, Augustus Wm Hy, Llanrwst, Denbigh, Captain. Pet Dec 17
 Jones, Bangor, Dec 31 at 2
 Barnard, Thos John, Beeraiston, Devon, Mine Agent. Pet Dec 17.
 Pearce, East Stonehouse, Jan 8 at 11
 Corcher, Robt, Derby, Travelling Draper. Pet Dec 13. Weller.
 Derby, Jan 16 at 12
 Connel, Thos, Manch, Plasterer. Pet Dec 17. Kay. Manch, Jan 10
 at 9.30
 Hackworth, John Wesley, Darlington, Durham, Engineer. Pet Dec 16.
 Crosby. Stockton-on-Tees, Jan 2 at 11.30
 Maxwell, John, Salford, Lancashire, Builder. Pet Dec 13. Hulton.
 Salford, Jan 8 at 11
 Monk, Jas, West Hanney, Berks, Farmer. Pet Dec 16. Bishop.
 Oxford, Dec 31 at 11.30
 Richmond, Wm, Galgate, Lancashire, Grocer. Pet Dec 13. Myres.
 Preston, Jan 3 at 11.30

Liquidation by Arrangement.
 FIRST MEETINGS OF CREDITORS.

FRIDAY, Dec. 20, 1872.

Arrowsmith, Saml Boulderstone, Lpool, Ironfounder. Jan 6 at 3, at
 office of Vine, Cable st, Lpool. Ritson, Lpool
 Bambridge, Joseph Hardy, Stockton, York, Builder. Jan 4 at 11.
 30, at offices of Thompson, High st, Stockton
 Beaumont, Jas Alf, Northampton, Licensed Victualler. Jan 3 at 11, at
 offices of Jeffery, Market sq, Northampton
 Biggs, Edwd, Ryde, 1 of W, General Dealer. Jan 3 at 4, at 69, George
 st, Ryde. Urry, Ryde
 Blanchard, Thos, Trowbridge, Wilts, Chemist. Jan 6 at 11, at offices of
 Rawlins, Silver st, Trowbridge
 Bookes, Richd Danl, Lenham Heath, Kent, Grocer. Jan 7 at 12, at
 offices of Gibson, High st, Sittingbourne
 Bowden, Thos, Kingston, Hants, Baker. Dec 30 at 11, at offices of
 Paice, Commercial rd, Landport. Walker, Portsea
 Bowen, Richd, Shrewsbury, Salop, Licensed Victualler. Jan 2 at 11,
 at offices of Morris, Swan hill, Shrewsbury
 Bratling, Mary Ann Eliz, Coventry st, Refreshment house Keeper.
 Jan 4 at 1, at offices of Dolman and Colegrove, Jernyn st
 Bratt, Benjamin, Wolverhampton, Stafford, Commercial Traveller. Dec
 31 at 11, at 161, Bilston st, Wolverhampton
 Bushy, Edwd, Plumstead, Kent, Grocer. Jan 2 at 2, at offices of
 Carter and Bell, Leadenhall st
 Clewes, Moses Hodgkiss, Bilton, Stafford, Grocer. Jan 2 at 11, at
 offices of Bolton, Snow hill, Wolverhampton
 Clee, John Theophilus, Stoke upon Trent, Stafford, Merchant. Jan 3 at
 2, at the Crewe Arms Hotel, Crewe
 Covert, Matthew Francis, Sheffield, Auctioneer. Jan 2 at 12, at office
 of Erie, George st, Sheffield
 Cross, Jas, Abingdon, Berks, Leather, Seller. Jan 3 at 1, at offices of
 Bartlett, Abingdon
 Dicker, Alf, St Mary Cray, Kent, Clerk. Dec 23 at 12, at 145, Cheap-
 side, Freeman, Gutter lane
 Dickens, Geo, Little Braunston, Northampton, Victualler. Dec 28 at
 2, at offices of Roche, St Giles st, Northampton
 Dinm, Wm, South, Cockerington, Lincoln, Farmer. Dec 27 at 11, at
 offices of Hyde, Jun, Ugate, Louth
 Dodwell, A f Hudson, and Fredk Richd, Sawday, Idol lane, Tea Dealers.
 Jan 1 at 12, at the London Tavern, Bishopsgate st. Carter and Bell,
 Leadenhall st
 Dudley, Wm, Landely, Carmarthen Pickler in Tinworks. Jan 3 at 2, at
 offices of Griffiths, Spilman st, Carmarthen
 Ellis, Hy Edwd, Foulden rd, Hackney, Builder. Jan 9 at 11, at offices
 of Cheston and Sons, Gt Winchester st, Bilgls
 Emmott, Alexander Joseph, Bradford, York, Commission Agent. Dec 31
 at 11, at offices of Wood and Killett, Commercial Bank bldgs,
 Bradford
 England, Thos, Skelton, Cambridge gdns, Notting Hill, Corn Factor.
 Dec 30 at 12, at offices of Gover, King William st
 Fagg, Geo, King's rd, Chelsea, Hiosier. Jan 13 at 2, at offices of Cooper
 and Co, Chesopside
 Fell, Wm Middleton, Leeds, Builder. Jan 3 at 2, at office of Simpson
 and Buxell, Albion st, Leeds
 Felding, Saml, Lancashire, Dealer in Cattle Food. Jan 7 at 2, at office
 of Turner King st, Blackburn. Swift, Blackburn
 Fowler, Jas Geo, Winterbourne, Gloucester, Quarryman. Dec 30 at 12,
 at the Swan Hotel, Bridge st, Bri tol. Tucker, Bristol
 Gaskin, Thos, Chatham, Kent, Veteriaer. Jan 2 at 12, at offices of
 Hayward, High st, Rochester
 Graham, Richd, Middlesbrough, York, Grocer's Assistant. Jan 3 at 11,
 at offices of Ry bus, Zetland rd, Middlesbrough. Addenbroke
 Haffenden, Geo, Sevenoaks, Kent, Baker. Dec 30 at 1, at the Railway
 Tavern, Tab's Hill, S. venoaks. Darville, Finsbury pavement
 Harris, Geo Washington, Westminster, Secretary. Jan 19 at 2, at
 offices of Wilkins and Co, St Swithin's lane
 Harris, Stanley Wm, Mill hill rd, Solicitor's Clerk. Jan 6 at 12, at
 offices of Crump, King st, Cheshide
 Hill, Thos, Longton, Stafford, Cabinet Maker. Jan 7 at 11, at the
 Copland Arms Hotel, Stoke upon Trent. Marfield, Longton
 Howlett, Benjamin, Harrow st, Marylebone, Coach Builder. Dec 27
 at 10, at offices of Dobson, Southampton b dgs, Chancery lane
 Humphrys, Edwia Gregory, London rd, Southwark, Cheesemonger.
 Jan 7 at 2, at offices of Wriglit and Son, Paper bldgs, Temple
 Iredale, Joshua, Eiland, York, Woollen Manufacturer. Jan 1 at 12,
 at offices of Pickard and Leary, Square rd, Halifax. Hill and
 Smith, Halifax
 Jones, Richd Ransom, King's Lynn, Norfolk, Commercial Traveller.
 Dec 31 at 11, at offices of Deacon and Wilkins, Peterborough
 Jones, Saml, Longton, Staff rd, Iron Founder. Jan 2 at 11, at office of
 Welch, Caroline st, Longton
 Lane, Edwin, Strand, 24, Fencible, Moss Contractor. Dec 30 at 11, at
 office of Leslie, Warwick st, Regent st
 Lowman, Wm Augustus, Melcombe Regis, Dorset, Foulterer. Jan 2 at
 2, at the Auction Mart, Market st, Melcombe Regis. Howard, Mel-
 combe Regis

Malley, Christopher, Lpool, Rype Manufacturer. Dec 31 at 2, at the
 Law Association Rooms, Cook st, Lpool. Cowman, Lpool
 Marks, Beaton Jas, Stourbridge, Worcester, Retail Clothier. Jan 3 at
 10, at offices of Eaden' Bennett's bill, Birn
 Matterson, Geo Hardwick, Kirby Morsard, York, Ironfounder. Jan 3
 at 2, at office of Crumble, Stongate, York
 Mead, Wm, Acton, Middx, Builder. Jan 4 at 10, at the Townhall, New
 Brentford. Woodbridge and Sons, Brentford
 Mersh, Wm, Upper Mitcham, Surrey, Bootmaker. Jan 8 at 11, at office
 of White, Essex st, Strand. Begbie, Essex st, Strand
 Mitchell, Robt, Stockton-on-Tees, Durham, Joiner. Jan 2 at 11, at
 office of Draper, Stockton-on-Tees
 Morgan, Hy, Wimborne Minster, Dorset, Travelling Draper. Dec 31 at
 1, at office of Weston, High West st, Dorchester
 Morphew, John, Kingston-upon-Hull, Licensed Victualler. Jan 1 at 3,
 at office of Summers, Manor st, Kingston-upon-Hull
 Morris, Thos Miles, Newtown, Montgomery, Woolstapler. Jan 3 at 12.30,
 at the Elephant and Castle Inn, Newtown. Harrison and Son
 Newman, Maurice John, Midlane, Buxford, Suffolk, Coal Merchant.
 Jan 6 at 4, at the Fleece Hotel, Head st, Colchester. Philbrick and
 Son, Colchester
 Pendlebury, Wm, Tamworth, Stafford, Commercial Traveller. Jan 3
 at 3, at office of Maher, Upper Temple st, Birn
 Pimbley, Joseph, Farworth, Lancashire, Engineer. Dec 31 at 11, at
 office of Richardson and Dowling, Wood st, Bolton
 Pownan, John, Manch, Baker. Jan 3 at 2, at offices of Marshall,
 Princess st, Manch
 Rees, Geo Bevan, Aberavon, Glamorganshire, Stationer. Dec 31 at 3,
 at office of Tennant, Aberavon
 Reynolds, Edwd, Sheffield, Licensed Victualler. Jan 3 at 2, at offices of
 Broomhead and Co, George st, Sheffield
 Roberts, Silas, and Wm Roberts, Catterham, Surrey, Grocers. Jan 6
 at 2, at offices of Verdine, Craven st, Charing cross
 Rowe, David Wells, Birn, Leather Merchant. Jan 6 at 11, at office of
 Rowlands and Co, Colmore row, Birn
 Saddington, Joseph, Wolverhampton, Stafford, Hair Dresser. Jan 11
 at 10, at offices of Greenway, King st, Wolverhampton
 Sedley, Joseph, Adelaide rd, Haverstock Hill, Captain. Dec 30 at 11,
 at offices of Maniere, Gray's inn sq
 Setchell, Adams, Earith, Huntingdon, Farmer. Jan 6 at 2, at offices of
 Greene, St Ives
 Shelton, John, Stamford, Lincoln, Corn Merchant. Jan 3 at 11, at office
 of Deacon and Wilkins, Peterborough
 Shetler, Jas, Radipola, Dorset, out of business. Jan 2 at 12, at the
 Auction Mart, Market st, Melcombe Regis. Howard, Melcombe Regis
 Simpson, Hy, Hol way rd, Islington, Cheesemonger. Jan 6 at 11, at
 office of Edwards, Queen st, Cannon st
 Sparks, Joseph, Hastings, Sussex, Coal Merchant. Jan 2 at 2, at the
 Inns of Court Hotel, Gny inn. Savery, Hastings
 Suddaby, Thos, Kingston upon Hull, Builder. Dec 31 at 12, at offices of
 Stead and Sibree, Bishop lane, Kingston upon Hull
 Swallow, Thos, Has, Langle end, Fallow, Grocer. Jan 7 at 3, at offices
 of Hicks and Arnold, Salisbury st, Strand
 Taylor, Benjamin, Wike, Morwren, nr Leeds, Farmer. Jan 10 at 2,
 at office of Harie, Bank st, Leeds
 Thompson, Christopher, Longton, Stafford, Grocer. Jan 2 at 12, at
 offices of Welch, Caroline st, Longton
 Townahend, Saml Pryn, Devonport, Devon, Baker. Jan 2 at 11, at
 offices of Vaughan, St Aubyn st, Devonport
 Tubb, Wm, Maidenhead, Berks, Grocer. Dec 31 at 1-30, at offices of
 Fletcher and Co, Maidenhead
 Walker, John, Leicester, Contractor. Jan 2 at 12, at offices of Owston,
 Friar lane, Leicester
 Warner, John, Leicester, Painter. Jan 3 at 12, at office of Hurvey,
 Peckington's walk, L. ceister
 Whitehead, John, Buckley Mill, nr Rochdale, Lancashire, Woollen
 Manufacturer. Jan 8 at 3, at the Albion Hotel, Haymarket st, Bury.
 Grundy and Co, Bury
 Williams, Geo, Wolverhampton, Stafford, Grocer. Dec 30 at 11, at 161,
 Bilston st, Wolverhampton
 Williams, Wm, Market st, Mayfair, Tailor. Jan 13 at 2, at offices of
 Wright and Nickoll, Gt Portland st
 Worthington, Jas Scrymgeour, Box, Wilts, Accountant. Dec 27 at 2,
 at the King's Head Inn, North Parade, Bath
 Zarfa, Geo Friedrich, Romney st, Westminster, Baker. Jan 2 at 11,
 at offices of Russel, Walbrook

EDE & SON,

ROBE MAKERS.



BY SPECIAL APPOINTMENT,

TO HER MAJESTY, THE LORD CHANCELLOR, THE JUDGES, CLERGY, &c

ESTABLISHED 1689.

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CARR'S, 265, STRAND.—
 Dinners (from the joint), vegetables, &c., 1s. 6d., or with Soup
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 with the agreeable accompaniment of light wine, both cheap and
 good, I know only of one house, and that is in the Strand, close to Dane-
 inn. There you may wash down the roast beef of old England with
 excellent Burgundy, at two shillings a bottle, or you may be supplied
 with half a bottle for a shilling."—All the Year Round, June 19, 1864,
 page 440.

The new Hall lately added is one of the handsomest dining-rooms in
 London. Dinners (from the joint), vegetables, &c., 1s. 6d.

